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By Alameda County Environmental Health at 10:40 am, Jun 28, 2013

28 June 2013

Mr. Mark Detterman
Senior Hazardous Materials Specialist
Alameda County Environmental Health
1131 Harbor Bay Parkway
Alameda, California 94502

**Subject: Well Destruction
1240 Powell Street
Emeryville, California**

Dear Mr. Detterman,

I declare, under penalty of perjury, that the information and /or recommendations contained in the attached document or report is true and correct to the best of my knowledge.

Sincerely,
Ronald J. Silberman

Ronald J. Silberman
Fordham Properties, Inc.
President

Enclosure: Well Destruction Report

June 28, 2013

ICES 7233

Mr. Mark Detterman
Senior Hazardous Materials Specialist
Alameda County Environmental Health
1131 Harbor Bay Parkway
Alameda, California 94502

Subject: Well Destruction
1240 Powell Street
Emeryville, California

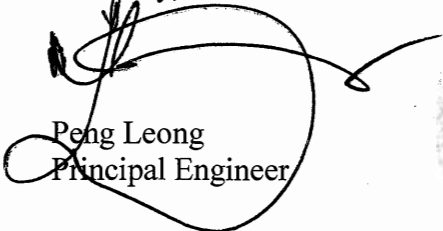
Dear Mark:

The three wells (MW-1, MW-2, and MW-3) located at 1240 Powell Street in Emeryville, California were destroyed by PeneCore Drilling of Woodland, California on June 27, 2013 in the presence of the Alameda County Public Works Agency (ACPWA) inspector. Wells MW-1 and MW-3 were destroyed by pressure grouting with neat cement. Well MW-2 was destroyed by pressure grouting with neat cement and overdrilling the upper 5 feet of the well. The well boxes of all three wells were removed and concrete was used after grouting to match the surrounding surface. Waste material generated from the well destruction activities was placed in a covered 55-gallon drum. A sample was collected from the material to characterize the waste for offsite disposal.

A copy of the well destruction permit issued by ACPWA and the encroachment permit issued by the City of Emeryville are included in Attachment A. Well destruction DWR forms are included in Attachment B.

If you have any questions, please feel free to contact Derek Wong or myself at (510) 652-3222.

Sincerely,


Peng Leong
Principal Engineer



Enclosure

cc: Mr. Ronald Silberman, Fordham Property
Mr. Norm Ozaki, NOzaki & Associates

Tel (510) 652-3222
Fax (510) 652-3555

3300 Powell Street
Suite #109
Emeryville, CA
94608

ATTACHMENT A

PERMITS

Alameda County Public Works Agency - Water Resources Well Permit



399 Elmhurst Street
Hayward, CA 94544-1395
Telephone: (510)670-6633 Fax:(510)782-1939

Application Approved on: 06/18/2013 By jamesy

Permit Numbers: W2013-0451 to W2013-0453
Permits Valid from 06/24/2013 to 06/30/2013

Application Id: 1370304087926
Site Location: 1240 Powell St, Emeryville, CA
Project Start Date: 06/24/2013
Assigned Inspector: Contact Steve Miller at (510) 670-5517 or stevem@acpwa.org

City of Project Site:Emeryville

Completion Date:06/30/2013

Applicant: Fordham Property - Ronald Silberman
5835 Doyle St #101, Emeryville, CA 94608
Phone: 510-547-7177

Property Owner: 1240 Powell St LLC
5835 Doyle St #101, Emeryville, CA 94608
Phone: 510-547-7177

Client: ** same as Property Owner **

	Total Due:	\$1191.00
Receipt Number: WR2013-0212	Total Amount Paid:	\$1191.00
Payer Name : 1421 Park Avenue LLC	Paid By: CHECK	PAID IN FULL

Works Requesting Permits:

Well Destruction-Monitoring - 3 Wells
Driller: Penecore - Lic #: 906899 - Method: press

Work Total: \$1191.00

Specifications

Permit #	Issued Date	Expire Date	Owner Well Id	Hole Diam.	Casing Diam.	Seal Depth	Max. Depth	State Well #	Orig. Permit #	DWR #
W2013-0451	06/18/2013	09/22/2013	MW1	0.00 in.	0.00 in.	0.00 ft	0.00 ft	No Records	W02-0605	No Records
W2013-0452	06/18/2013	09/22/2013	MW2	0.00 in.	0.00 in.	0.00 ft	0.00 ft	No Records	W02-0606	No Records
W2013-0453	06/18/2013	09/22/2013	MW3	0.00 in.	0.00 in.	0.00 ft	0.00 ft	No Records	W02-0607	No Records

Specific Work Permit Conditions

1. Drilling Permit(s) can be voided/ cancelled only in writing. It is the applicant's responsibility to notify Alameda County Public Works Agency, Water Resources Section in writing for an extension or to cancel the drilling permit application. No drilling permit application(s) shall be extended beyond ninety (90) days from the original start date. Applicants may not cancel a drilling permit application after the completion date of the permit issued has passed.

2. Prior to any drilling activities, it shall be the applicant's responsibility to contact and coordinate an Underground Service Alert (USA), obtain encroachment permit(s), excavation permit(s) or any other permits or agreements required for that Federal, State, County or City, and follow all City or County Ordinances. No work shall begin until all the permits and requirements have been approved or obtained. It shall also be the applicants responsibilities to provide to the Cities or to Alameda County an Traffic Safety Plan for any lane closures or detours planned. No work shall begin until all the permits and requirements have been approved or obtained.

3. Compliance with the well-sealing specifications shall not exempt the well-sealing contractor from complying with appropriate State reporting-requirements related to well construction or destruction (Sections 13750 through 13755 (Division 7, Chapter 10, Article 3) of the California Water Code). Contractor must complete State DWR Form 188 and mail original to the Alameda County Public Works Agency, Water Resources Section, within 60 days. Include permit number and site map.

4. Applicant shall submit the copies of the approved encroachment permit to this office within 60 days.

Alameda County Public Works Agency - Water Resources Well Permit

5. Permittee shall assume entire responsibility for all activities and uses under this permit and shall indemnify, defend and save the Alameda County Public Works Agency, its officers, agents, and employees free and harmless from any and all expense, cost and liability in connection with or resulting from the exercise of this Permit including, but not limited to, property damage, personal injury and wrongful death.

6. Permittee, permittee's contractors, consultants or agents shall be responsible to assure that all material or waters generated during drilling, boring destruction, and/or other activities associated with this Permit will be safely handled, properly managed, and disposed of according to all applicable federal, state, and local statutes regulating such. In no case shall these materials and/or waters be allowed to enter, or potentially enter, on or off-site storm sewers, dry wells, or waterways or be allowed to move off the property where work is being completed.

7. Remove the Christy box or similar structure.

Destroy well by grouting neat cement with a tremie pipe or pressure grouting (25 psi for 5min.) to the bottom of the well and by filling with neat cement to three (3-5) feet below surface grade. Allow the sealing material to spill over the top of the casing to fill any annular space between casing and soil.

After the seal has set, backfill the remaining hole with concrete or compacted material to match existing conditions.

8. Remove the Christy box or similar structure. Destroy well MW-2 by overdrilling the upper 5ft bgs & Tremie Grouting with Cement. After the seal has set, backfill the remaining hole with concrete or compacted material to match existing. (Note: Construction W02-0695 listed this well as MW-1 and not MW-2.)

9. Remove the Christy box or similar structure. Destroy well MW-1 and MW-3 by grouting neat cement with a tremie pipe or pressure grouting (25 psi for 5min.) to the bottom of the well and by filling with neat cement to three (3-5) feet below surface grade. Allow the sealing material to spill over the top of the casing to fill any annular space between casing and soil. After the seal has set, backfill the remaining hole with concrete or compacted material to match existing conditions.

10. Note: Permit W02-0695-W02-0697 list these wells as being 8.25" borehole, 2" case, 6ft seal depth and 20ft. in depth.

11. Copy of approved drilling permit must be on site at all times. Failure to present or show proof of the approved permit application on site shall result in a fine of \$500.00.



**CITY OF EMERYVILLE • DEPARTMENT OF PUBLIC WORKS
ENCROACHMENT PERMIT**

APPLICANT Foodkam Properties
 CONTACT PERSON KON SILBERMAN
 ADDRESS 5835 Doyle St. #101
EMERYVILLE, CA 94608
 PHONE _____ EMAIL VONSSIL@ya.400-
510 547-7177 COM
 OWNER/DEVELOPER _____
 ADDRESS same as above
 PHONE _____ EMAIL _____

CONTRACTOR DOING WORK Penecore
 CONTACT PERSON TUAN NGUYEN
 ADDRESS 1238 ALICE ST. SUITE A
WOODLAND, CA 95776
 PHONE 530-661-3600 EMAIL tuan@penecore.com
 LICENSE NO. 906899 CLASS C-57

Yes No CURRENT CITY BUSINESS LICENSE ON FILE
 Yes No PROVIDE PROOF OF INSURANCE

EST. START DATE 6-15-13 EST. COMPLETION DATE 6-30-13 EST. COST IN CITY R/W 397¹⁶

LOCATION OF WORK 1240 POWELL ST.

CHECK ALL CONDITIONS THAT APPLY:

- Traffic Control Survey Sidewalk Detour Dumpster Temporary No Parking Construction Sidewalk Obstruction
- Private Facilities on Public Right of Way Driveway Approach Curb & Gutter Pedestrian Ramp Water Service Fence
- Excavation Electric Service Roof Drain Utility Maintenance Access Road Monitoring Well Sewer Lateral Crane
- Storm Drain Block Party Gas Service

FULLY DESCRIBE PROPOSED WORK WITHIN CITY RIGHT-OF-WAY (additional space on reverse if needed): Attach 3 complete sets of plans 8 1/2 X 11, if applicable.

CAP ONE MONITORING WELL approx. 2' south
OF SIDEWALK ON POWELL ST. (next to 1240 Powell)
1240 POWELL ST.

I hereby agree to protect and indemnify the City of Emeryville and hold it harmless in every way from all claim or suits for injury or damage to persons or property as set forth in the Standard Provisions. I agree not to begin construction until all materials to be used are on hand; to perform all work in accordance with the plans submitted (if any), the Standard Provisions to Encroachment Permit, and all applicable Special Conditions of Approval, and to pay all inspection and engineering costs in addition to those paid at the time of issuance of this permit. I further agree to complete the work to the satisfaction of the City Engineer and if for any reason the City of Emeryville is required to complete this work, I will pay all costs for such work.

Applicant Signature _____

[Handwritten Signature]

Date _____

6-6-13

FOR CITY USE ONLY
 Permit No. 21305175 Date 6-12-13
 Temporary Permit # _____ days Long Term Permit
 Permit Administrative Fee.....\$ 167
 "No Parking" Signs..... x \$ _____ \$
 Permit Inspection Deposit (2 hr. min.).....\$ 202
 Cost Recovery Estimate.....\$ _____
 Arborist Recovery Estimate.....\$ _____
 Long Term Permit Fee (____ mos. x _____) \$ _____
 Tree Removal Fee.....\$ _____
 Tree Protection Deposit (value x 3 + \$10,000) \$ _____
 Required Security Deposit:
 \$1,000 cash.....\$ 1000
 \$10,000 Bond..... Bond # _____
 100% Performance Bond, Bond # _____
 Bond Value \$ _____
 Total Payment Required.....\$ 1369
 Receipt # 03-1989 Date 6/12/13 Amt. Received \$ _____
 Business License Certificate of Insurance

FOR CITY USE ONLY

The following documents are attached and incorporated into this permit and have been given to the applicant:

- Standard Provisions to Encroachment Permit Special Conditions of Approval
- City Standard Details (List Details) Handout, Urban Runoff BMP's
- Other _____

Remarks _____

- 48 HOUR NOTICE PRIOR TO START OF WORK
- PROVIDE CONSTRUCTION SCHEDULE 5 DAYS PRIOR TO START OF WORK
- AS-BUILT PLANS REQUIRED

PLEASE CALL FOR INSPECTION AT 510-596-4333 Dennis 455.7286

PLEASE NOTIFY POLICE (510-596-3700) AND FIRE (510-596-3750) 24 HOURS IN ADVANCE.

This permit is void unless the work is completed before August 1, 2013

This permit is to be strictly construed and no other work than is specifically mentioned is hereby authorized.

After final inspection is approved, please contact the Public Works Department at 510-596-4330 to determine final cost, and for final payment or reimbursement of deposit. Failure to obtain approval of a Final Inspection of the work covered by this Encroachment Permit within one (1) year of the estimated completion date shall result in the loss of the security deposit which shall be retained by the City of Emeryville.

APPROVED [Signature] TITLE C. Civil Engineer DATE 6/11/13

FINAL INSPECTION APPROVED _____ TITLE _____ DATE _____

ATTACHMENT B

WELL DESTRUCTION DWR FORMS

CONFIDENTIAL

STATE OF CALIFORNIA DWR
WELL COMPLETION REPORT
(WELL LOGS)

REMOVED

CONFIDENTIAL

STATE OF CALIFORNIA DWR
WELL COMPLETION REPORT
(WELL LOGS)

REMOVED

CONFIDENTIAL

STATE OF CALIFORNIA DWR
WELL COMPLETION REPORT
(WELL LOGS)

REMOVED