

**BART MacArthur Station Meeting**  
**December 7, 2006**

List of attendees attached.

BART presented information to suggest that there may be an additional source in the BART parking lot. However, BART does not have strong opinion either way whether detections of high TPH in BART parking lot are from other source or from Surgery Center. The City of Oakland indicated that data do not support an additional source and that most likely source is the Surgery Center. ACEH indicated that most likely source is the Surgery Center and that not enough data are available to make that kind of analysis based solely on analytical data.

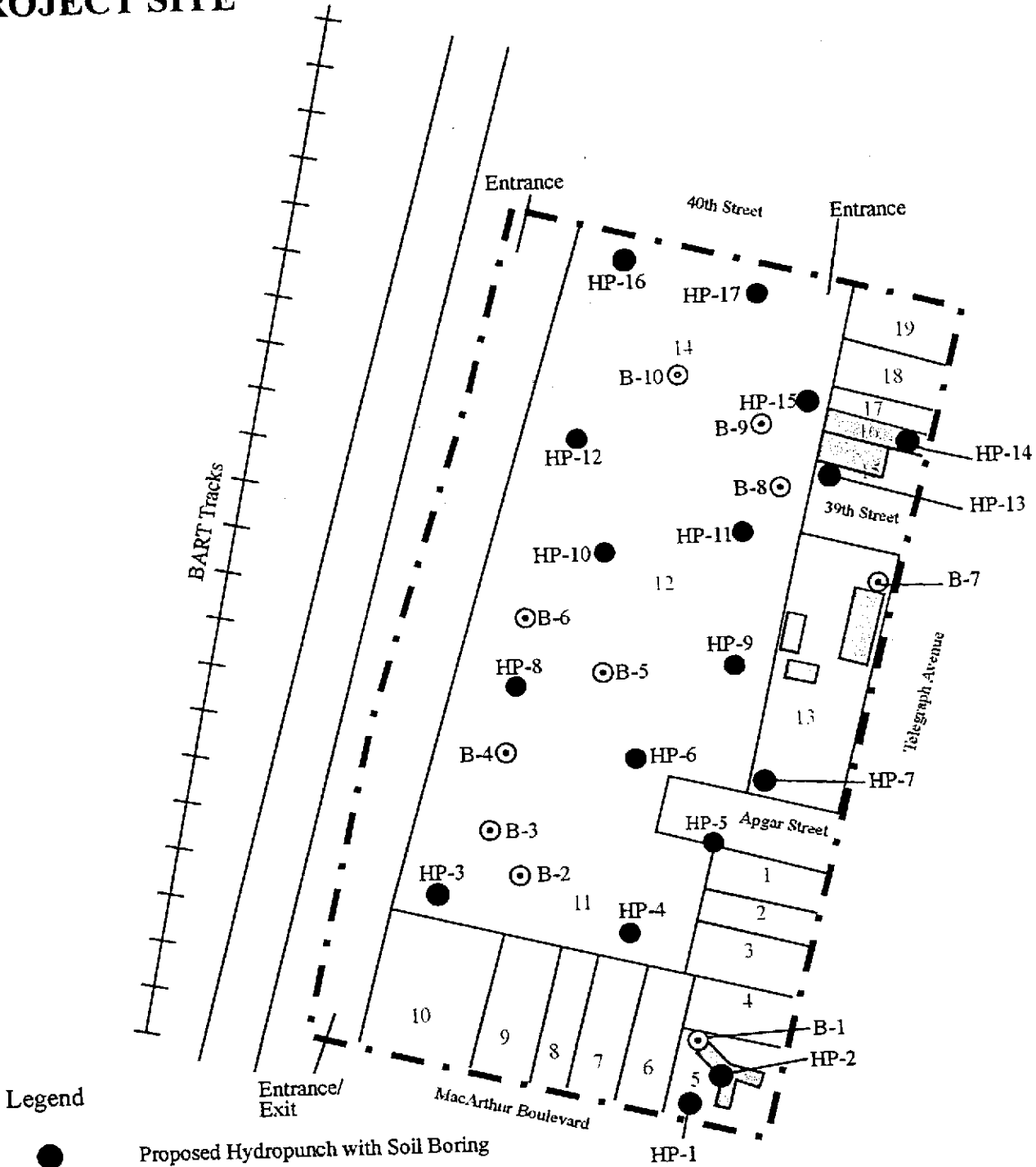
The former gas station at 3801 Telegraph Avenue will not be part of the BART transit development. The site at 3901 Telegraph Avenue will be part of the site. Will need to check with Leroy Griffin re former tanks on these properties.

ACEH also requested the Kleinfelder Phase I dated 1/25/1990, the Harding Lawson Phase I dated 1/22/1993 and a soil gas sampling location map.

BART wants to get a comfort letter indicating that we are not requiring BART to investigate or remediate the contamination detected in their parking lot until development occurs. BART and the City of Oakland have an agreement that contamination detected during the investigation conducted by the City on BART property will be the responsibility of the City. ACEH agreed to issue the comfort letter. For the Surgery Center, ACEH indicated that further evaluation of the potential indoor air vapor intrusion issue will be required but do not know the form of the evaluation. Will likely be coming to BART for an off-site access agreement to do work related to the Surgery Center contamination.

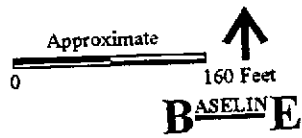
Figure 1

PROJECT SITE



Legend

- Proposed Hydropunch with Soil Boring
- ⊙ Proposed Soil Boring
- 15 Parcel Identified by SCI in Phase I Report, (2002)
- ▨ Potential Source Areas/Parcels
- - - Project Site Boundary



MacArthur Bart Transit Village Project  
Oakland, California