

Drogos, Donna, Env. Health

Subject: RO2875 - 3875 Telegraph
Entry Type: Phone call
Start: Thu 10/4/2007 9:15 AM
End: Thu 10/4/2007 9:15 AM
Duration: 0 hours

Mary Rose Cassa, RWQCB

Caller described a site fitting the Regal / Surgery Center site
wanting letter of clarification on delegation of authority for UST sites

Discuss site with her, contamination issues, RP ID & last meeting with Regal & Surgery Center RPs

Wickham, Jerry, Env. Health

Subject: RO2875 Surgery Center, 3875 Telegraph Avenue, Oakland

Status: Not Started
Percent Complete: 0%

Total Work: 0 hours
Actual Work: 0 hours

Owner: Wickham, Jerry, Env. Health

12/7/2006. Meeting with City of Oakland and BART re discovered contamination in the BART parking lot.

1/2/2007. Linda Robinsion, administrator for the Surgery Center called 547-8256 direct and 547-2244. She asked questions regarding permissible levels for TPH in soil cited in letter. I discussed in general potential pathways and site-specific conditions that will effect the allowable concentrations for a site. EBSCLP has a complex arrangement to sell property but cannot due to the contamination on site. Gribi recommended submitting the sampling report and then waiting for County to react. My letter was the first feedback from County. She asked about sampling inside the building. Surgery Center may move forward with additional sampling on their own. There is another issue with redevelopment of the site by BART. No definite plans. I may receive a call from other doctors involved in site.

1/4/2007. Jim Gribi called re starting work on a Work Plan. He asked if Wickland Oil had responded to NOR and if there was an expectation that they would be primary RP. I indicated that they had not contacted me and that I did not get in middle of liability issues with RPs. Contamination at site appears to be from Wickland Oil operation but both parties are RPs and either party can be the active or primary RP. I advised that a discussion between Surgery Center and Wickland Oil would be useful.

Phone call with Dan Hall of Wickland Properties 916-978-2460 on 1/25/2007. He asked about the background of how Regal station was identified and asked about having us send him documents. I gave him Roseanna's contact information to arrange a file review and suggested that he also contact the Surgery Center, who is the other RP on site. He asked about the time frame to petition a NOR. He was unaware of this site prior to receiving the NOR and letter.

Phone call with Dan Hall of Wickland Properties 916-978-2460 on 2/7/2007. Dan Hall indicated that Wickland Properties had retained counsel to appeal their being named as a Responsible Party. He also indicated that he was doing this to retain his rights and would continue to review files and options. He indicated that he was not happy with two items: 1) how we determined that the release occurred during Wickland's ownership of property and 2) meetings conducted before he was involved with site did not allow him to be involved in decisions. I indicated that it was not clear what decisions he would need to be involved. When I became the case worker, I reviewed the site history and previous work done by the Surgery Center and named Wickland Properties as an RP. I indicated that I could not recall all the facts of the release and therefore could not discuss on the phone why the release occurred during their 10 years as an operator and leaseholder. I reminded him that if the release had occurred prior to their operation on site, Wickland would still be an RP. He indicated that he will speak with Larry Fusch, director of the Surgery Center and would like to set up a meeting in the future with ACEH. I also indicated that he does not have to submit a LON since we have identified the current land owners already.

Phone call with Dan Hall of Wickland Properties on 3/8/2007. He has title work on property still going on. He indicated that Wickland operated the tanks but was leasee and not owner. Therefore, he believes that Wickland is not an RP. He also discussed an inspection by Oakland Fire in 1984 and multiple operators and owners preceding Wickland. I indicated that Wickland still meets definition of RP but we decided not to discuss in detail. He has met with Larry Fusch of Surgery Center and retained an environmental consultant. The consultant has advised him that the site is good candidate for orphan site account. He will be pursuing entry into orphan site program as a solution and will be requesting an extension. I asked if the Surgery Center concurs with request for an extension. He confirmed they were in agreement. Wickland and Surgery Center will send me a letter requesting an extension.

Laurie Gualco 916-442-6660 called on 6/20/2007. She is attorney for Wickland. Interested in getting site resolved and working with other parties not litigation.

Phone call with Lori Gulaco on 6/21/2007. She is meeting with Julie Rose, attorney for current owner and other oil companies to discuss dividing funding. They are in process of hiring a consultant. Would like schedule to be held in abeyance. I indicated I did not want to have an indefinite schedule and therefore would agree to a 60-day extension. She will submit an email request for extension.

10/2/2007. Meeting with Dan Hall - RP, Lori Gualco - attorney for RP, Peter Krasnoff - West, Peter Morris - WEST, Donna Drogos, and Jerry Wickham.

Wickland claims that predecessor should be an additional RP for site since the release may have occurred prior to 1971 when Wickland became a lessee for the site. Wickland requests that ConocoPhillips be named as an additional RP since some releases likely occurred prior to 1971.

10/30/2007. Phone call from Jim Gribi 707-748-7743. Received email of WP Addendum. Represents Surgery Center. Inquiring about meeting on October 2nd. Does not agree that can't sample in the source area. Does not think doing an angle boring will be sufficient. Met with Peter Morris on September 26 and it appeared that it might be difficult but not impossible to sample inside building. Jim Gribi will call Larry Fusch, surgeon and principal at Surgery center, to ask whether drilling inside the building is possible. He originally assumed that drilling inside the building would be necessary.

11/14/2007. Phone call with Dan Hall of Wickland Properties. We discussed the assumption that no investigation would be allowed within the Surgery Center building. I informed him that work plan requires revision if it is possible to work within the building. Referenced my discussion with Jim Gribi regarding whether building could be accessed. He will call his consultants and have them speak with Jim Gribi. Dan Hall will gather information and get back to me within a few days.

12/13/2007. Peter Krasnoff and Peter Morris of WEST called. Drilling in the Surgery Center is not feasible due to liability of working in hospital, sensitive equipment, etc. They would like to proceed in phased approach due to difficulty in sampling inside the building. I will review their work plan next week.

3/26/2007. Chris Larson of Ninyo & Moore called re what are the latest reports on file. He asked if two monitoring wells on southern portion of site were being monitored. Not to my knowledge; site investigation is in process.

3/31/2008. Call from Peter Morris of WEST. They completed work at Surgery Center on Saturday. Got hits on PID and soil and gw had an odor. One boring was completed as a monitoring well and they collected some additional soil and groundwater samples.

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Subject: RO2875 - 3875 Telegraph Ave
Entry Type: Phone call

Start: Wed 11/15/2006 5:30 PM
End: Wed 11/15/2006 5:30 PM
Duration: 0 hours

11/15/06, 836a
Dennis Lateszinsky, Northgate
3875 Telegraph Ave
Former gas station, a lot of Benzene
Overview consultant for prospective purchaser
Under impression site was being cleanup up
Not done anything in 2 yrs
Consultatn says waiting for county to make them clean it up
510-839-2939

11/15/06, 925A, RTN CALL, LV MSG

11/15/06, 530p, Dennis
Discuss site, discuss data, site location maps, discuss reports & site development
Rvw & discuss data at Regal & at BART with him
He may request report in file review

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Subject: RO2875 - 3875 Telegraph Ave
Entry Type: Phone call

Start: Mon 8/28/2006 11:30 AM
End: Mon 8/28/2006 11:30 AM
Duration: 0 hours

RO2875 - 3875 Telegraph Ave
08/22/06, 1130, rita chan, 415-983-1290
Info on Site

Owner of adjacent property, what has been done on neighboring property

Represent BART

Surgery Center

She talked to Don,

Discussed site, needs directive ltr, Don to issue

Had meetings with BART in & outside counsel, told her her law firm has a lot on info on site & sites in area

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Subject: 3875 Telegraph Ave
Entry Type: Phone call

Start: Thu 5/12/2005 1:30 PM
End: Thu 5/12/2005 1:30 PM
Duration: 0 hours

5/12/05, 138p, chris larsen, Ninyo & Moore, macarthur bart, done a lot of sampling there
Report for 3875 telegraph submitted to ACEH, in tomorrow can they look at it

Drogos, Donna, Env. Health

Subject: NEW SITE - 3875 Telegraph Ave, Oakland
Entry Type: Phone call

Start: Wed 3/16/2005 3:00 PM
End: Wed 3/16/2005 3:00 PM
Duration: 0 hours

NEW SITE

03/15/05, 101p, Jim Gribi, report submitted last month, new site
3875 Telegraph Ave, Surgery center, 707-748-7743

03/16/05, 1145a, lft msg

063/16/05, 245p,

1930s west side of site had gas station

Later north side

High Benzene in GW, building covers source area

Surgery center, selling improvements not land, they realize closure not attainable now for their property transaction

Have phase 2 data + data from previous work

Considering drilling in building, collecting soil gas samples

Possible MacArthur Bart Transit Village site so cleanup to residential

I will followup on case transfer from OFD, anticipate listing as site next month

He is okay with that just following up on listing as new site, they are considering options for add'l work

Surgery Center never operated gas station, aske him to identify last owner/operator of gas station to assist me in RP ID.

He is working with Center's attorneys to identify last owner/operator.