



A d a n t a

## Phase I Environmental Site Assessment

1550 Park Avenue  
Emeryville, California



Prepared for  
1550 Park LLC  
June 9, 2015  
Adanta, Inc. Project A1293-1

Prepared for:

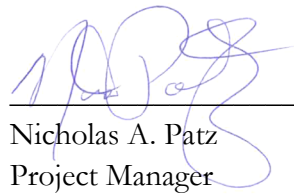
1550 Park LLC  
2323 Magnolia Street, Suite 2  
Oakland, California, 94607

## **PHASE I ENVIRONMENTAL SITE ASSESSMENT**

1550 Park Avenue  
Emeryville, California

Project: A1293-1  
Date: June 9, 2015

I declare that, to the best of my professional knowledge and belief, I meet the definition of Environmental Professional as defined in §312.10 of 40 CFR 312. I have the specific qualifications based on the education, training, and experience to assess a property of the nature, history, and setting of the Property. I have developed and performed the all appropriate inquiries in conformance with the standards and practices set forth on 40 CFR Part 312:



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## 1.0 SUMMARY AND RECOMMENDATIONS

At the request of 1550 Park LLC, Adanta, Inc. (Adanta) conducted a Phase I Environmental Site Assessment (ESA) of 1550 Park Avenue, Emeryville, Alameda County, California (“Property”). Please refer to Figure 1 - Property Location Map.

This Phase I ESA was conducted according to the guidelines of the U.S. EPA's All Appropriate Inquiry (AAI) rule and ASTM E1527-13 guidelines. On August 15, 2013, the United States Environmental Protection Agency (US EPA) issued a direct final rule adopting ASTM E1527-13 as an environmental standard that parties may use to satisfy “all appropriate inquiry” obligations toward the innocent landowner defense under CERCLA.

The research for this Phase I ESA included a Property and adjacent sites survey, interviews with informed persons, reviews of public records, an environmental database search report, review of previous reports (when obtained), and collection and review of current photographs.

This report has been prepared under the supervision of an individual who meets the U.S. EPA's requirements for an Environmental Professional (*refer to Appendix B - Professional Qualifications*).

### 1.1 PHASE I ESA FINDINGS SUMMARY

#### **Property Summary Information**

The Property encompasses approximately 0.49 of land area. It is currently developed with one two-story brick building with a concrete foundation, and one corrugated metal maintenance building with a concrete foundation (refer to Figure 2 - Property Map). Most of the outside areas of the Property are concrete paved. The main building was apparently constructed in segments but completed as it is today prior to 1946. Historically the Property has been in various commercial uses, such as a oxygen supply company, furniture manufacturing company, and refrigeration supply company. Tenant improvements in the 1970s included construction of a residential apartment on the second floor of the building.

Rail lines of the Southern Pacific Rail Road are adjacent to the west. To the north of the Property, is a perchlorethylene (PCE) soil and groundwater contaminated site. Halleck Street is to the east and Park Street to the south. The land uses adjacent to Halleck and Park Streets near the Property are a mix of new residential, and older commercial, and industrial.



## **Proposed Property Use**

1550 Park LLC plans to redevelop the Property for residential use. The exterior of the building would remain, however it would be seismically retrofitted. The building interior would undergo significant restoration so it could be used as condominiums.

## **Environmental Database Report**

The Property has two listings on the environmental database report. Both listings are for a leaking underground storage tank (UST). The first listing is for a gasoline UST that was assessed in the early 1990s and subsequently granted regulatory closure in 1996. The second listing is for a leaking heating oil UST. Alameda County Environmental Health (ACEH) is considering the case for closure. However, the closure is contingent on the future use as a commercial site. If future development is for residential purposes, the case will be reopened for regulatory consideration.

An adjacent site, that shares the northern boundary with the Property, is currently under regulatory oversight with the California Environmental Protection Agency Department of Toxic Substances Control (DTSC). A former tenant (Technichem) operated a commercial technology at the site that extracted perchloroethene (PCE) from spent dry cleaning filters, for resale and extracted PCE from dry cleaning waste water. The site has soil and groundwater contaminated with PCE. Although it appears likely that groundwater does not flow directly toward the Property from the areas of the site with high PCE concentrations in groundwater, this site could be of environmental concern for the Property should groundwater flow direction change.

## **Hazardous Substances and Storage Tanks**

The main building has a concrete floor with numerous stains that appear to be related to small petroleum-based spills. A propane-powered forklift was observed in the warehouse portion of the building. The central portion of the Property has a building constructed of corrugated metal that has a metal bin labeled as hazardous waste, with a notation that the bin is to be used for “used oil only.” The corrugated-metal building also houses numerous propane containers apparently used to power an onsite forklift. A shelving unit adjacent to the propane canisters is used to store various cleaning supplies and lubricants. The concrete floor in the area is liberally stained.

## **Asbestos and Lead-based Paint**

Suspect asbestos-containing materials (ACM) or lead based paint were not specifically noted during the Property survey. Most of the primary building is constructed of exposed brick walls, however the interior of the building had the appearance of having been painted quite some time ago, and the paint is deteriorating. It is not known if this is lead-containing paint. There is a second level to a portion of the main building that is accessed by stairs (no elevator). The second level has been used



as office and conference space. A portion of the area was also a former apartment. Although construction materials specifically known to contain asbestos were not observed, it is possible that some asbestos containing materials are within these spaces.

### **Regulatory Review and Previous Reports**

There is one current UST case at the Property that is under investigative oversight of the ACEH. The case is under consideration for regulatory closure if the Property remains in commercial use. The case will be reopened if the use of the Property changes to residential. In addition, there is a case closure for an earlier UST release. In November 2009 a 1,500-gallon capacity UST was discovered under the sidewalk of Park Street, that was an apparent heating oil storage vessel for the Property building. The UST was removed and floating petroleum product was observed in the groundwater of the excavation at about six feet below surface. About 20 tons of soil was transported for offsite disposal as nonhazardous waste. Total petroleum hydrocarbons as gasoline (TPHg), diesel (TPHd), and motor oil (TPHmo) were found in excess of environmental screening levels (ESLs) established by the San Francisco Bay Regional Water Quality Control Board (RWQCB). Based upon subsequent environmental assessments, remaining in-place soil contamination exceeds ESLs for residential development. A letter from ACEH to the current Property owner states “Re-evaluation of this case is required if land use changes to any residential or other conservative land use or any redevelopment occurs as residual contamination is document to remain in the soil beneath the site.. This site is to be entered into the City of Emeryville Permit Tracking System due to the residual contamination on site.”

It should be noted that the contaminated area from the UST is under the sidewalk to the south of the Property, and under Park Street. At this time, it is not known if soil or groundwater contamination has migrated beneath the Property.

A 1,500-gallon UST used to store gasoline was removed from the central portion of the Property in 1994. Soil contamination was limited to the upper five feet of soil (20 cubic yards), which was removed and properly disposed. 110 gallons of groundwater was removed from the excavation. When groundwater recharged and was re-sampled it was found that concentrations of contaminants were much lower than initial sampling. One groundwater monitoring well was installed in an assumed downgradient flow direction. Although groundwater was encountered in the boring completed as a monitoring well at a depth of four feet, the monitoring well was not screened until a depth of five feet. Soil samples collected during well installation were reported to not have detected concentrations of contaminants, and water samples collected following well installation were also reported to not have concentrations of contaminants.

The Property has undergone several environmental assessments, with limited soil remediation. For a review of a summary of the assessments please refer to section 3.4.

### **User Supplied Information**

Adanta supplied a questionnaire to 1550 Park LLC asking for specialized knowledge concerning the Property. Amanda Kobler, a partner in the firm, filled out the questionnaire on behalf of 1550 Park LLC. It is our understanding that the price of the Property is not discounted due to known or suspect environmental conditions. The Property is being offered for sale in an “as is” condition. Although the Property has an open UST case, and is adjacent to a site with known PCE contamination in groundwater, there is no known current environmental litigation issues at the Property.

### **Vapor Intrusion Issues**

Based upon the PCE contamination in soil and groundwater at the adjacent site to the north and the remaining in-place contamination of soil and groundwater from the former USTs to the south of the Property, it is possible that there may be vapor intrusion issues at the Property. Based upon conversation with ACEH regulators, it is suspected that vapor intrusion may have to be mitigated by use of a vapor barrier, if the Property is to be used for residential use. These discussions were only preliminary without significant data under research.

## 1.2 SURROUNDING AREA SUMMARY

Adanta did not observe current indications on sites adjacent to the Property or in the near vicinity that had obvious indications of environmental concern for the Property. One site adjacent to the north of the Property has known PCE contamination in soil and groundwater. There are numerous sites within the general area that have been or are on regulatory lists for having contaminated soil and groundwater.

## 1.3 CONCLUSIONS AND OPINIONS

“We have performed a *Phase I Environmental Site Assessment* in conformance with the scope and limitations of ASTM Practice E 1527 of 1550 Park Avenue, Emeryville, California, the *Property*. Any exceptions to, or deletions from, this practice are described in Section 1.5 of this *report*. This assessment has revealed no evidence of *recognized environmental conditions* in connection with the *property* except for the following: (list).”



The Property has a leaking underground storage tank case that was closed in 1994. The UST was removed, and a small amount of soil was disposed offsite. Excavation sampling and soil sampling for an installed groundwater monitoring well did not detect soil or groundwater contamination.

There is an open leaking underground storage tank listing for the Property currently under investigative oversight by Alameda County Environmental Health (ACEH). Discussions with the regulator conducting the oversight revealed that the Property is being considered for closure, but closure is limited to future commercial use. Future residential use will likely force a reopening of this case, to determine if existing soil and groundwater contamination requires further assessment and/or remediation. It should be noted that soil and groundwater contamination has been found under the sidewalk and Park Street. However, it is not known if there is actually soil or groundwater contamination under the Property.

Adjacent to the north of the Property is a site that is under DTSC oversight that has soil and groundwater contamination by PCE. The tenant, which caused the contamination (Technichem) no longer occupies the site. The primary contamination at the site is in the approximate middle of the adjacent building. Groundwater flow calculated during assessments conducted at the Property and the contaminated adjacent site appears to be toward the west and the direction has migrated from southwest to northwest over the period of time groundwater flow has been monitored. If groundwater flow direction remains consistent, contamination from the adjacent site will likely flow toward the railroad tracks to the west and not impact the Property. However, there are numerous factors that effect groundwater flow direction, and that direction can change such that PCE in groundwater at the site could possibly impact the subsurface at the Property.

### **Known or Suspect RECs**

There is known soil and groundwater contamination adjacent to the south of the Property due to a leaking underground storage tank that was apparently used as a heating oil tank for the Property building. It is not known, if the soil and groundwater contamination originating from leaks in this tank has migrated to the Property.

### **Controlled RECs (CRECs)**

The ACEH has required that any development or change to a more sensitive use at the Property will require a reopening of the UST closure being considered for closure. Contamination left in place in soil just to the south of the Property exceeds ESLs for residential use as well as construction/trench worker health and safety. In addition, based upon an adjacent site that has PCE contamination of soil and groundwater, the ACEH may require any new development at the Property to include a vapor barrier.





## Historical RECs

A UST and fueling pump was removed from the Property in 1994. The UST was a 1,500-gallon vessel used for gasoline storage to fuel Property-owned vehicles. The case received regulatory closure in 1996. It is possible that residual contamination could exist at the Property due to this case.

## De Minimis Conditions

Environmental conditions noted on the Property that appear to be of minimal impact include the adjacent site to the west include rail lines. Historically there have been as many as six rail line tracks. It is common for rail lines such as these to have contamination from chlorinated pesticides and herbicides, as well as heavy metals, and heavy petroleum. It is unlikely that these types of contamination would migrate to the Property.

## 1.4 RECOMMENDATIONS

Based on the findings of this assessment, Adanta recommends the following:

- An environmental assessment should be conducted to determine if soil or groundwater has been affected beneath the Property building. Soil and groundwater sampling should be conducted inside the building, near the southern wall to find if contamination from the former UST beneath the sidewalk of Park Street has affected environmental conditions beneath the Property building. In addition, soil borings should be advanced in the northern portion of the Property collecting grab groundwater samples to assess the potential that the PCE contamination at the adjacent site has affected environmental conditions at the Property.
- Because the Property has an open regulatory case, Alameda County Environmental Health should be contacted prior to conducting any environmental assessment. ACEH will require a work plan for their approval before assessments are conducted. In addition, ACEH will require remuneration for their oversight.
- Prior to renovation or demolition, asbestos and lead-based paint sampling will be required by the City of Emeryville.



## 1.5 DEVIATIONS FROM AAI/ASTM E1527-13 STANDARD

This report complies with ASTM E1527-13 and AAI standards.

### **Data Gaps**

There were no known significant data gaps encountered in conducting this Phase I ESA.



## 2.0 PROPERTY AND SURROUNDING AREA DESCRIPTIONS

Nick Patz of Adanta conducted a walking survey of the Property on May 29, 2015. Mr. Patz was accompanied by Pennie Barger (Pelco Sales), Amanda Kobler (1550 Park LLC), and Sara Garabedian (Red Oak Realty). The surrounding area was observed from the boundaries of the Property and during a driving survey of the area. On the day of the Property survey the weather was sunny and warm. Weather conditions did not inhibit visual observation of Property conditions.

### 2.1 PROPERTY DESCRIPTION

During a walking survey, the Property was observed for evidence of hazardous substances that may have an effect on the environmental quality of the Property and adjacent sites. Adanta observed the Property for evidence of aboveground and underground storage tanks, surface staining, hazardous materials containers, ponds, pits, and other indications of potential environmental concern. If conditions were observed that indicated potential environmental concerns, Adanta marked their relative locations on a map drawn in the field (refer to Figure 2 - Property Map).

The Property is located at 1550 Park Avenue, Emeryville, Alameda County, California, and has been assigned its Assessor's Parcel Number 49-1036-003 by Alameda County assessor's office.

The Property is irregular in shape and encompasses approximately 0.49 acres of land. The Property is improved with one building having a footprint of approximately 12,200 square feet, and a metal shed that has about 1,000 square feet.

The main building is constructed of brick walls on a concrete slab-on-grade. The interior of the building also has brick walls with concrete columns. The floor of the building interior slopes from east to west with an elevation change of about three feet. A small area of the warehouse portion of the building is used to store refrigeration supplies. The area is serviced with a propane-powered fork lift. Most of the interior is currently vacant warehouse space. Interior walls are painted and the paint is deteriorating; chipping and peeling was noted in several spaces. There is a second floor to the portion of the building adjacent to Park Street. The second floor contains offices and conference space, as well as a former residential apartment with a full kitchen.

There is a loading dock and two rollup doors in the southeast side of the building and an additional two roll-up doors on the northeast side of the building. None of the roll-up doors allow vehicle access to the building.



In the approximate center of the Property is a corrugated metal building that is apparently used for storage only, at this time. Inside the building are some lubricating chemicals, waste oil, and propane canisters. The surface of the building is concrete. Staining was noted on the concrete floor through out the building. One roll-up door allows vehicles inside. The yard to the north and south of the corrugated metal building is concrete. To the north of the building is an additional concrete pad, on top of the yard concrete pad, that is octagonal and may have been a base for a large oxygen tank, based on information obtained from Sanborn Fire Insurance Maps.

The Property building is currently being used to store and sale refrigeration equipment (refer to Photographs 1 - 16, located in attached - Property Photographs). Most of the building is vacant.

### **Hazardous Materials and Storage Tanks**

During the Property Survey, Adanta observed common cleaning and maintenance liquids. In addition, the facility maintains a propane-powered forklift. The metal building contained numerous propane canisters. However, the Property does not have a large propane tank. Adanta was shown the locations of two former USTs. One UST was used for fueling onsite vehicles was located in the yard on the north side of the building. There were also remnants of a former fueling pump. The other UST was on the south side of the building, and was apparently used as a heating oil tank for the building. Both tanks have been removed.

### **Heating and Cooling**

The source of heating and cooling energy is from natural gas and electricity piped to the Property from PG&E. Other current sources of heating and cooling energy such as fuel storage tanks were not noted during the Property survey or during the assessment activities of this Phase I ESA. A removed UST was previously used to store heating oil.

### **Potable Water**

Potable water is provided to the Property by the City of Emeryville. Potable water wells were not observed at the Property.

### **Asbestos and Lead-based Paint**

Asbestos-containing materials (ACM) were not specifically noted during the Property survey. Based on the construction date of the Property building, it is possible that construction materials containing asbestos were used. Paint inside the building is deteriorating. Evidence of chipping and peeling was noted throughout the interior of the building. It is possible that the interior paint contains lead.

### **Environmental Liens**

Environmental liens were not found for the Property. Adanta reviewed the State of California



Department of Toxic Substances Control website of deed-restricted sites; however, the Property was not listed on the database. However, the ACEH is requiring that any development or change in use to a more sensitive use be reported to the ACEH so that they can evaluate if the pending LUST case closure needs to be re-evaluated.

## 2.2 SURROUNDING AREA DESCRIPTION

The Property is bordered by multiple railroad lines on the west, followed by industrial use. On the south is Park Avenue followed by a light industrial/commercial buildings with multiple tenants. The building is referred to as Park Place. On the east is Halleck Street, followed by apartments and a parking structure. Adjacent to the north is a building currently occupied by “So Real Factory”, a remnant of a sign on the building reads “Pelco Dist.” The building to the north is a site that is currently an open site due to PCE contamination of soil and groundwater.



### 3.0 INTERVIEWS, RECORDS, AND HISTORICAL REVIEW

Adanta compiled information concerning the current and historical environmental conditions at the Property by accessing and reviewing readily available records and conducting interviews with informed persons.

#### 3.1 INTERVIEWS AND REGULATORY CONTACTS

As part of the Phase I ESA, Adanta contacted the following individuals and/or agencies:

- Adanta interviewed a representative of the Property owner, Pennie Barger, who is secretary/treasurer for Pelco Sales and Services, which currently operates in the Property building. Ms. Barger showed the locations of the two former underground storage tanks. One she described as a heating oil tank, located in the sidewalk area of Park Avenue. That UST was discovered during street improvements by the City of Emeryville. It was associated with Property because there was a pipe trending from the tank to the apparent inside of the building. The other UST was located in a yard area of the Property and was used as a gasoline fueling tank. The former pump was located adjacent to a building wall in the near vicinity of the former UST. Ms. Barger stated that the tank was voluntarily removed by Mr. Pelligrini in 1994.
- Adanta interviewed Ms. Amanda Kobler of 1550 Park LLC, the potential purchaser of the Property. Ms. Kobler filed out the user questionnaire for this Phase I ESA. Ms. Kobler said that she was aware of some potential contamination issues at the Property, but did not know the extent of the problems. Ms. Kobler also filled out the user questionnaire for this Phase I, and stated that the Property was not discounted due to environmental concerns.
- Adanta interviewed Mr. Mark Detterman, Senior Hazardous Materials Specialist with Alameda County Environmental Health. Mr. Detterman is the regulator in charge of the case for the Property.
- Adanta contacted the City of Emeryville Building Department with a request to review files for the Property. According to the agency files, the oldest permit on file was dated .
- Adanta contacted the Alameda County Assessor's Office with a request to review files for the Property. The agency provided an assessor's parcel map of the Property and basic tax information. The Property has been assigned APN 49-1036-3.
- Adanta reviewed the State of California Regional Water Quality Control Board Geotracker online database to review files for the Property and adjacent sites. After review of the

database information, the Property was listed in the database for having a closed UST investigation, and an open UST investigation. Further information concerning the open and closed cases can be found throughout this report.

- Adanta reviewed the State of California Department of Toxic Substances Control Envirostor online database to review files for the Property and adjacent sites. After review of the database information, the Property was not listed in the database. Technichem, which formerly occupied the site adjacent to the north of the Property is an open case that is in current environmental investigation under DTSC oversight for soil and groundwater contamination from tetrachloroethene (PCE). In addition, reviewed data revealed that the PCE has broken down in groundwater into other chemicals including vinyl chloride. It appears that the Property is cross gradient in a groundwater flow direction from this adjacent site.
- Adanta contacted the Alameda County Environmental Health (ACEH) Department with a request to review files for the Property. According to the agency, there are numerous environmental reports on file for the Property. One file is for a 1,500-gallon UST removal and investigation conducted in 1994, this file was closed by ACEH in 1996. The other is for a UST investigation that is current, and is in review for closure assuming the use of the Property remains commercial or industrial. Please refer to section 3.4 for further information concerning the files.

### 3.2 CHRONOLOGY OF PROPERTY USE

The following historical Property use summary was compiled using the historical data gathered during the various activities of this assessment as referenced in Section 3.5.

- 1911** A review of a Sanborn Fire Insurance map found that the Property was improved with three small buildings; one on each of three small lots. It was likely the use of the buildings was residences. The addresses were 1562, 1560, and 1556 Park Avenue. Adjacent to the west of the Property were seven tracks of the Southern Pacific Rail Road. Adjacent to the north was a furniture warehouse. Railroad tracks were depicted down the centerline of Halleck Street, adjacent to the east of the Property. The Park Avenue address across Halleck Street from the Property was 1548.
- 1931** Based upon review of a historical aerial photograph, it appeared that the buildings noted on the 1911 Sanborn map had been removed. The Property was developed with a multi-story building adjacent to the north side of Park Street. On the site adjacent to the north of the buildings were two parallel mound-like features.
- 1939** A criss-cross directory provided by Pacific Telephone did not list the Property addresses.



George Goodman sheet metal works was listed at 1548 Park Avenue, which is across Halleck Street to the east of the Property.

- 1945** Adanta reviewed a Pacific Telephone criss-cross directory and noted that there were no listings Park Avenue, west of Halleck Street.
- 1946** A review of historic aerial photographs indicated that the Property was improved in a very similar manner to how it was observed at the time of the Property survey for this Phase I ESA. A large round tank was noted adjacent to the north of the metal shed. Subsequently it was learned that this tank likely contained oxygen. The Property was apparently occupied by an oxygen supply company. The site adjacent to the north of the Property was not improved with a building.
- 1950** Adanta reviewed a Pacific Telephone criss-cross directory and noted that there were no listings on Park Avenue, west of Halleck Street.
- 1951** A Sanborn Fire Insurance Map was reviewed and it was found that the Property was occupied by Air Reduction Pacific Company; labeled as “oxygen plant no. 12”. The three lots that had previously been noted had apparently been combined into a single lot with two addresses: 1550 and 1556 Park Avenue. In the northern portion of the Property was a 60-foot high water cooling tower, and a round “steel oxygen holder on conc. base.” A series of electrical transformers was depicted on the west side of the building.
- 1956** Adanta reviewed a Pacific Telephone criss-cross directory and noted that there were no listings Park Avenue, west of Halleck Street.
- 1959** An historical aerial photograph was reviewed and it was found that the Property appeared to be in a similar configuration as it was at the time of the Property survey. The large round tank noted on the 1946 aerial photograph was no longer present.
- 1961** The Pacific Telephone criss-cross directory did not have listings west of Halleck Street.
- 1966** The Pacific Telephone criss-cross directory listed Gojer, Inc. as the only occupant at 1550 Park Avenue.
- 1968** Based on review of an historical aerial photograph, the Property and surrounding area appeared similar to that noted on the 1959 aerial photograph.
- 1971** The Haines criss-cross directory listed Gojer, Inc. as the only occupant at the Property. Anecdotal information suggests that Gojer, Inc. was a furniture manufacturer.



- 1976** A Haines criss-cross directory listed the following business at 1550 Park Avenue: Frigidaire Ice Machine, Pelco Distributors, Pellegrini Refrigeration Equipment and Schaefer Refrigeration Cabinets.
- 1980** A Haines criss-cross directory listed the following business at 1550 Park Avenue: Employee Finance Company, Frigidaire Ice Machine, Pelco Distributors, Pellegrini Refrigeration Equipment and Schaefer Refrigeration Cabinets. In addition, an historical aerial photograph was reviewed and it was noted that the building configuration was similar to past air photos. The building to the north had been constructed.
- 1987** A Haines criss-cross directory listed the following business at 1550 Park Avenue: Employee Finance Company, Frigidaire Ice Machine, Pelco Distributors, Pellegrini Refrigeration Equipment and Schaefer Refrigeration Cabinets.
- 1988-2014** Based upon review of several historical aerial photographs, it appeared that the Property was substantially similar to how it exists today. Adanta also reviewed an oblique aerial photograph from 1988. It appeared that a automotive junk yard was across Halleck Street from the Property, and that a large steel mill was across the Southern Pacific Rail Road tracks to the east. The steel mill had been razed prior to the 1993 aerial photograph.
- 1994** Tank Protect Engineering (TPE) removed a 1,500 gallon UST. Grab groundwater samples detected total petroleum hydrocarbons as gasoline (TPHg) as high as 2,700 micrograms per liter ( $\mu\text{g/L}$ ) or parts per billion. After installation of three groundwater monitoring wells, TPE calculated groundwater flow at the Property to be primarily toward the west but ranged from northwest to southwest.
- 2009** P&D removed a 1,500 gallon UST from the sidewalk area on Park Street immediately south of the Property. The work was conducted for the City of Emeryville. Subsequent environmental assessments found that soil and groundwater in excess of residential ESLs remains in the area.
- 2015** ERRG requested a case closure from ACEH for the UST open case for the tank located south of the building and found in 2009. ACEH has prepared closure documentation, and the case is up for community review. It is likely that the case will receive closure. However, closure is contingent on the use of the Property as commercial or industrial. If use is changed to residential, closure documentation requires that the case be revisited, and it would be likely that further assessment would be mandated.

### 3.3 ENVIRONMENTAL DATABASE REPORT

Environmental Records Search, Inc., was subcontracted to provide a database search called RecCheck. The database comprises a list of sites within designated distances of the Property that are listed by regulatory agencies. Most sites have limited descriptions of the reason for the regulatory listing. Environmental Records Search also provided a map of locations of these sites, which can be found in Appendix C - Environmental Database Report.

The Property was listed in the environmental database report. Two of the listings were as a leaking underground storage tank site. One of the listings is closed and the other remains open under the regulatory jurisdiction of ACEH. In addition, the Property is listed on historical databases for the proper disposal of hazardous waste relevant to the UST assessments and remediation activities.

The adjacent site to the north of the Property is under environmental regulatory oversight by the DTSC. The site has soil and groundwater contamination by PCE. Although it is uncertain if the contamination is migrating through groundwater toward the Property. Mark Detterman, ACEH regulator for the Property suggests that it is likely a vapor barrier will be required at the Property, if it is used for residential purposes, due to the groundwater contamination plume.

There are a significant number of listed sites within ASTM designated distances from the Property. Based on the number of listed sites, it is likely that much of the groundwater in the area has been affected by various contamination sources. However, review of groundwater data at the Property did not find likely contamination from offsite sources.

### 3.4 FILE REVIEWS AND REPORTS

Files reviewed at local regulatory agencies are summarized in Sections 3.1 and 3.2 and copies of available readily accessible documents can be found in Appendix C - Regulatory Data and Other Reports. Not all regulatory documents are readily available to be included in this Phase I ESA.

#### 3.4.1 Environmental Reports

##### **Groundwater Monitoring Well Installation Report**

Pellegrini Refrigeration & Restaurant Equipment Company

1550 Park Avenue

Emeryville, CA 94608

By Tank Protect Engineering, June 30, 1994

Tank Protect Engineering (TPE) installed one monitoring well with 10 feet of the 1,500-gallon gasoline UST they had previously removed previously in January 1994. The well was installed



within 10 feet of the former UST in the suspected groundwater flow direction (west) from the tank. One soil sample was collected from a depth of about five feet, and did not report TPHg or BTEX above the method reporting limit. In addition, no TPHg or BTEX compounds were detected in the groundwater sample collected from the well.

### **Remedial Action Completion Certification**

Pelco Distributors

1550 Park Avenue

Emeryville, California 94608

STID # 4042

By Alameda County Health Care Services, Environmental Health Services

This was a Case Closure Summary for the UST removed in 1994. The case closure suggested that concentrations of TPHg and BTEX in excavation soil, following the removal of 20 cubic yards of contaminated soil, were reported as not detected above the method reporting limit. Concentrations of TPHg in groundwater were originally reported as 2,700 micrograms per liter ( $\mu\text{g/L}$ ) during the initial investigation. However, TPHg was not detected in groundwater from the follow up monitoring well.

### **Underground Storage Tank Removal Report**

1550 Park Avenue

Emeryville, CA

By P&D Environmental, Inc. March 12, 2010

P&D conducted the removal of the UST under the sidewalk of Park Street on the south side of the Property. P&D estimated the UST to have a 1,400-gallon capacity. Removal was conducted for the City of Emeryville. P&D reported that the UST was filled almost entirely with water and a layer of “floating black, viscous fluid that exhibited a strong oily odor.” Seven hundred gallons of oily water was pumped from the tank and properly disposed. Due to rains during removal an additional 1375 gallons of water was pumped from the UST and adjacent excavated area prior to UST removal. Soil around the UST was reported to be a “discolored blue-grey.” Volatiles were not detected in the soil samples however TPHd was detected in confirmation samples as high as 830 mg/kg.

Soil and Groundwater Investigation Summary Report

Apex Refrigeration, Inc.

1550 Park Avenue

Emeryville, California



By ERRG, May 2013

ERRG conducted the Soil and Groundwater Investigation Report for Apex Refrigeration. ERRG advanced four soil borings to a total depth of 10 feet, collecting two soil samples in each boring, and one grab groundwater sample in each boring. This work was conducted to investigate subsurface conditions in the area of the former UST located under the sidewalk of Park Avenue adjacent to the south of the Property. TPHg, TPHd, and TPHmo were all detected in soil concentrations above their respective ESL. The volatile constituents of gasoline (BTEX) and MTBE were not detected above method reporting limits. Groundwater samples were also reported to have concentrations of TPHg, TPHd, and TPHmo considerably higher than the residential use ESL. None of the soil boring locations were inside the building, the soil borings surrounded the former UST in the sidewalk and street of Park Street.

### **Facility Assessment**

Technichem Incorporated  
4245 Halleck Street  
Emeryville, California 94608  
EPA ID No. CAD 981 375 983  
By DTSC, June 1993

Pelco Distributors was listed in the report as the land owner for the facility to the north of the Property. Technichem was listed as the tenant. Technichem had apparently developed a methodology for removing residual PCE from spent dry cleaning filter cartridges. Technichem recovered about 1,500 gallons of PCE each month. The facility inspection resulted in the conclusion that the potential for releases at the site was low due to various factors.

### **Interim Measures Completion Report**

Former Technichem Site  
4245 Halleck Street  
Emeryville, California  
By ERRG, May 2011

Pellegrini Refrigeration purchased the property in June 1978, and the property is currently owned by the Mario J. & Virginia E. Pellegrini Trust (DTSC, 2008). The current building was constructed on the property in 1985. Technichem leased and occupied the building from January 1987 through December 2003 (DTSC, 2008). In August 2008, DTSC issued an Imminent and Substantial Endangerment Determination (ISED) regarding the Site.



Site activities involved collecting soil samples through the concrete floor of the building for waste profiling; excavating contaminated soil to the depth of groundwater, approximately 4 feet below ground surface (bgs); and site restoration. Impacted soil beneath or adjacent to foundation supports was not removed during this remediation effort. Based on pre-excavation sampling results, the soil was classified as RCRA F-Listed hazardous waste for direct disposal. Six soil bins (72.52 tons) were transported to U.S. Ecology's disposal facility in Beatty, Nevada, between October 26 and November 12, 2010. The remaining 46 loads (468.02 tons) were transported to Waste Management's Kettleman Hills Facility disposal between November 3 and December 14, 2010. Soil with concentrations exceeding the cleanup goal for PCE were left in place along the west wall, the north wall, the east portion of the south wall, and the in the base of the excavation in the center of the site.

### Technical Memorandum

Technichem Site Investigation

January and March 2013

By URS, May 30, 2013

URS conducted indoor air and groundwater monitoring to evaluate the extent of volatile organic compound (VOC) contamination at the site. The work was conducted with oversight from DTSC. Groundwater wells were screened in two different intervals. Three wells (GW-5, 6, & 8) were screened between 5 and 15 feet, and four wells (GW-4, 7, 12, & 13) were screened between 15 and 25 feet. VOCs were not detected in shallow groundwater above their respective ESLs. However, PCE was detected in GW-12 at a concentration of 14 µg/L and in GW-13 at 12,000 µg/L. The ESL for PCE in groundwater is 5 µg/L. Other VOCs were also found to exceed their ESLs in GW-12 and GW-13. GW-12 is located in the parking lane of southbound Halleck Street, approximately 50 feet north of the site's boundary with the Property. GW-13 is located in the approximate middle of the site, inside the building and approximately 100 feet north of the Property. There were no downgradient wells screened in the deeper zone to sample from GW-12 and GW-13.

Indoor air samples were collected from two locations within the building and one ambient sample was collected outside the building to the north. Vapor intrusion was found to be occurring inside the building. Sample A-1 was found to have a PCE concentration of 3.1 µg/m<sup>3</sup>, and sample A-2 was found to have a concentration of 1.7 µg/m<sup>3</sup>. The CHSSL for PCE in indoor air at commercial/industrial sites is 0.693 µg/m<sup>3</sup>.

### 3.5 SOURCES OF DATA

Adanta contacted regulatory agencies and other potentially knowledgeable persons and information sources concerning the Property. Copies of maps, permits, and other documents, if available, are in Appendix C - Regulatory Data and Other Reports.



The following are the information sources contacted by Adanta for this report:

### Information Source

- Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process – ASTM E1527-13
- US EPA General Guidelines on All Appropriate Inquiry (AAI)
- City of Emeryville Building Department
- City of Emeryville Planning Department,
- City of Emeryville Fire Department
- Alameda County Environmental Health Department, online database
- Alameda County Assessor's Office
- State of California Regional Water Quality Control Board
- Personal interview with Mark Detterman, ACEH
- Personal interview with Penni Barger, Pelco Services
- User Questionnaire by Amanda Kobler, 1550 Park LLC
- Environmental Records Search, RecCheck Environmental Database Report
- Regional Water Quality Control Board, Geotracker online database
- Department of Toxic Substances Control, Envirostor online database
- United States Geological Survey (USGS) 7.5-minute Topographic Quadrangle, 1953 and 1978,
- USGS 15-minute Topographic Quadrangle Map, 1915
- USDA Natural Resources Conservation Service, Soil Survey of Alameda County, California
- Sanborn Fire Insurance Maps dated , (maps could not be provided in the appendices due to copyright issues)
- Haines Business Directories, dated
- Polk City Directories, dated
- Aerial Photographs and Satellite Images, dated
- Facility Assessment for Technichem Incorporated 4245 Halleck Street, Emeryville, CA 94608, EPA ID NO CAD 981 375 983, By DTSC, June 1993
- Interim Measures completion Report, Former Technichem Site, 4245 Halleck Street, Emeryville, California, May 2011, ERRG
- Technical Memorandum, Technichem Site Investigation, January and March 2013, URS Corporation, May 30, 2013
- Soil and Groundwater Investigation Summary Report, Apex Refrigeration, Inc. 1550 Park Avenue, Emeryville, California, ERRG, May 2013
- Data Transmittal, December 2014 Groundwater Monitoring, Apex Refrigeration, Inc. Fuel Leak Case No. RO0003069, Emeryville, California, ERRG, January 27, 2015

### User Supplied Information

Adanta supplied a questionnaire to 1550 Park LLC asking for specialized knowledge concerning the Property. Amanda Kobler filled out the questionnaire on behalf of 1550 Park LLC. This questionnaire can be found in Appendix B. It is our understanding that the price of the Property is



not discounted due to known or suspect environmental conditions. In addition, it is our understanding that there are not current or known contingent environmental litigation issues, or intended environmental regulatory action concerning the Property.

1550 Park LLC provided Adanta, information on how to access the Property.

## 4.0 PHYSICAL SETTING

Information sources were reviewed that would be thought to reveal the geographic situation of the Property that might suggest how surface and subsurface flows occur at the Property and in its general area. This information could help establish if the Property may have affected the environmental conditions of surrounding sites, or if surrounding sites may have affected the environmental condition of the Property.

### 4.1 SURFACE DESCRIPTION

#### **Topography**

The Property lies at an elevation of approximately 10 feet above mean sea level (AMSL), and is in a relatively flat portion of the city of Emeryville. The area of the Property has a slight slope to the west toward San Francisco Bay (USGS California 7.5 minute Quadrangle, Topographic Map). There are no sharp elevation rises or depressions in the near-vicinity of the Property.

#### **Nearest Surface Water**

Based upon observation of a USGS 7.5 minute topographic map, the nearest surface water to the Property appears to be San Francisco Bay, which is located about 1,000 feet west of the Property.

### 4.2 SOIL AND GROUNDWATER

#### **Soil Description**

A boring log of the groundwater monitoring well installed in 1994 by Tank Protect Engineering depicted sandy clay from below the concrete aggregate base to a depth of five feet, followed by two feet of silty clay, followed by at least eight feet of gravelly clay.

#### **Groundwater Description**

During installation of the monitoring well installed at the Property in 1994 groundwater was encountered at a depth of about four feet bgs. Subsequent environmental investigations found groundwater between 3 ½ feet and six feet below surface. Environmental assessment reports for the Property and nearby sites suggest that groundwater predominately flows in a westward direction, with variation to the northwest to southwest.

#### **First Aquifer Use**

The local use of the first aquifer in the area of the Property is unknown.





## 5.0 LIMITATIONS

This Phase I Environmental Site Assessment (ESA) was conducted according to industry standards and guidelines established under ASTM E1527-13 and the US EPA's All Appropriate Inquiry rule.

This assessment cannot fully eliminate the possibility that the Property has environmental impairments. Even with today's technology, no amount of assessment can certify that the Property is completely free of environmental concern. It is possible undocumented or concealed conditions of the Property could exist beyond what was found during this ESA. This report does not cover any Property conditions beyond the date the Property survey was conducted.

Physical setting information provided in this report is for drawing conclusions, by Adanta, within the context and timing of this report only. This information is preliminary and should not be used for any subsequent purposes.

Much of the information, upon which the conclusions and recommendations of this Phase I ESA are based, comes from data provided by others. Adanta is not responsible for the accuracy or completeness of this information. Inaccurate data, or information that was not found or made available to Adanta, may result in a modification of the stated conclusions and recommendations.

Any estimates of the scope of recommendations are based only on the information found during this assessment. Actual scope may vary upon refining data during proposal preparation, with changes in economic conditions, or as additional information becomes available.

### 5.1 ALL APPROPRIATE INQUIRY NOTICE

Since November 1, 2006, the US EPA has required individuals conduct "All Appropriate Inquiry" (AAI: Final Rule 40 CFR Part 312 or the equivalent ASTM E1527-13) to qualify as an innocent landowner, a contiguous property owner, or a bona fide prospective purchaser. The US EPA had declared that ASTM E1527-13 is sufficient for All Appropriate Inquiry.

The scope of work performed for the preparation of this report meets the AAI and the ASTM E1527-13 standard.

### 5.2 REPORT USE

This report was prepared for the sole use and benefit of 1550 Park LLC and their lender and partners in this transaction. This report is not a legal opinion and does not offer warranties or guarantees.



# **PHOTOGRAPHS**



Photograph 1 - Looking northwest from across Halleck Street.



Photograph 2 - Southern wall of Property building.



Photograph 3 – Halleck Street looking north, loading dock for Property building is on left.



Photograph 4 – Looking north on Halleck Street at east side of Property building.



Photograph 5 – Property boundary with site to the north.



Photograph 6 – Corrugated metal maintenance shed in central portion of Property.



Photograph 7 – Used oil storage tank in corrugate metal building.



Photograph 8 – Maintenance chemicals and lubricants with propane canisters in bottom right.



Photograph 9 – Former location of elevated oxygen tank.



Photograph 10 – Second floor conference area.



Photograph 11 - Interior of main building.



Photograph 12 - Storage area for Pelco Services.





Photograph 13 – Warehouse of main building.



Photograph 14 – Northeast corner of main building with 5-gallon buckets of cleaners.



Photograph 15 – Pennie Barger is pointing to former location of UST responsible for current open regulatory case.



Photograph 16 – Adjacent to the wall on the left is the former pump and in the center is the former location of the closed UST.

# FIGURES

**APPENDIX A**  
**QUALIFICATIONS**

## Nicholas A. Patz, Qualifications

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Nicholas Patz has over 30 years of experience conducting and managing environmental and waste management projects at Adanta, Inc., Ceres Associates, Kleinfelder, Inc. D.A. Evans, Inc. and Fugro, Inc. He has conducted geotechnical studies for mass grading of large complex residential and commercial developments, and managed the precise geologic mapping necessary at nuclear generating stations. Mr. Patz has participated in terrain analyses and hydrogeologic studies for the U.S. Department of Defense. He has conducted and managed potentially responsible party searches and thousands of Phase I, II, and III Environmental Site Assessments (ESAs). Mr. Patz has managed and participated in groundwater assessments for potability, chemical characterization, and solid waste assessment tests, he has been engaged in risk assessments, remedial investigations and feasibility studies, remedial action, environmental impact studies and landfill sighting and monitoring studies.

Mr. Patz has provided program management for many large projects that have included numerous professional disciplines such as engineering, waste management, environmental science, geology, health science, chemists, and geotechnical engineering professionals.

Mr. Patz has instituted programs for concept integrated waste management programs to establish zero-waste initiatives for local governments, hotel chains, and industrial developments using a variety of available options from the simple such as composting to innovative waste to energy systems. Best waste handling practices, innovative and precise waste stream analysis as well as storage and disposal plans are incorporated into each project in different ways because each project has its own unique set of circumstances and challenges under which it operates.

In addition to the above Mr. Patz provides expert witness services for environmental and waste management litigation issues.

### ***Education***

B.A. Geography, California State University, Fullerton  
Graduate Studies, Geography, Arizona State University

### ***Registration***

California Registered Environmental Assessor #00066 (discontinued)  
Nevada Certified Environmental Manager #01274

### ***Special Training***

Brownfields Project Management, CCLR  
40-hour OSHA Health & Safety Training and 8-hour updates  
Hazardous Materials Management, University of California, Irvine

**APPENDIX B**  
**HISTORICAL DOCUMENTATION**

**APPENDIX C  
REGULATORY DATA AND  
OTHER REPORTS**

**APPENDIX D**  
**ENVIRONMENTAL DATABASE REPORT**