# SAY UPDATED Stiplo1

#### UNDERGROUND STORAGE TANK CLEANUP SITE

	NDERGROUND SIG	JRAGE TANK CI	· ·		morra CIIC.
SITE NAME: SITE ADDRES	17 SOURG Parking Lot Oa S: 1750 -0 W nd Z	akland Site E Webster St	F S B D	UBSTANCE ATE REPORTED ATE CONFIRME	:-0- D:-0-
CASE TYPE:	- CONTRACT	STAT: -	PRIORITY: -	0- DATE E	R:-0-
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	TYPE: - RY: -0- T : -0-	CASE CLOSEI	: - DATE C	CTION TAKEN: ASE CLOSED: TAKEN: -0-	-0-

#### PgDn for Screen #2

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STID: 4617 UNDERGROUND STORAGE TANK CLEANUP SITE - SCREEN #2

#### **IN-HOUSE MANAGEMENT:**

RISK ASSESSMENT	:-0-	LOC-CleanUp Fund? -0-
DATE LAST CORSP	:12/18/1998	INSPECTOR INIT: BC

#### CONTACT/RESPONSIBLE PARTY INFORMATION:

	COMPANY NAME: ADDRESS:	Charles Sumner Ii Prentiss Properties Limited 2485 Natomas Park Dr.#350 Sacramento, Ca 95833	RP COST: Ph: -0-	\$0.00
COM	MMENT: MTBE=2,	900 ppb in a groundwater sample	collected	in 2/98

#### PgUp For Screen #1;PgDn For More RP'S

[ESC] Done	[F2] Clear field	[Shift-F2] Clear to end		[Shift-F10] More
Form: SITE	Table: SITE	Field: FlagDate Page:	2	Changed

CROSBY, HEAFEY, ROACH & MAY

PROFESSIONAL COMPONATION

ATTORNEYS AT LAW
1990 HAHRISON STREET
OAKLAND, CALIFORNIA 94612-3572
(510) 763-2000
FAX (510) 273-8632

MAILING ADDRESS:
POST OFFICE BOX POB4
DAKLAND, CALIFORNIA 94604-8084

#### **FAX TRANSMISSION**

THE INFORMATION CONTAINED IN THIS FACSIMILE IS CONFIDENTIAL AND MAY ALSO CONTAIN PRIVILEGED ATTORNEY-CLIENT INFORMATION OR WORK PRODUCT. THE INFORMATION IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHOM IT IS ADDRESSED. IF YOU ARE NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY USE, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THE FACSIMILE IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE, AND RETURN THE ORIGINAL MESSAGE TO US AT THE ADDRESS ABOVE VIA THE U.S. POSTAL SERVICE. THANK YOU.

DATE:

February 10, 2000

#### To:

RECIPIENT	FaX#	PHONE #
Larry Seto		
Sr. Hazardous Materials Specialist	337-9335	567-6700
Alameda County Health Services	007 0000	
1131 Harbor Bay Parkway,		
Suite 250	.*	
Alameda, CA 94502-6577	•	

FROM:

William D. Wick

DIRECT DIAL:

510/466-6842

#### **FAX INFORMATION:**

No. of Pages	ATTY No.:	ORIGINAL TO FOLLOW
(INCLUDING COVER):	OUR FILE No.: 2 1909.00030	

IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL US AT 6169

LARRY -- HERE'S A PROPOSED PARAGRAPH TO REPLACE THE LAST FULL PARAGRAPH IN YOUR DRAFT. PLEASE CALL TO DISCUSS. THANKS.

The site is currently a parking lot, and the proposed development plan is to erect an above-ground, non-enclosed parking structure. Versar, Inc. prepared a risk based corrective action assessment (February 23, 1998), provided to the County, which concluded that the presence of petroleum constituents within the shallow groundwater at 20 feet bgs "does not represent a health concern that will restrict the development of the site as a parking structure." Based on that assessment, this office agrees that such a plan may proceed. However, if plans change and significant excavation of site soils is contemplated, a risk assessment must be prepared and submitted to the local implementing agency for review and approval.

1) deal restriction - site will be re-evaluated if the use changes.
2) hisk assessment identified

However, it is an ticipated that any partine solveture bust on the site would contain some environments which will be more representative of endoor exposure (i.e. - toll booth, maintaneaux closets. The site specific Target Levels devived for bearene in groundwater crube the endoor exposure scenario was determined to be 1.1 ppm.) Any solution exposure to eight thing engineering the same of the property should be midget thing engineering the same in the site groundwater in the site groundwater.

# OO JAN -5 PM 3: 28

# NOTICE



The mailing address for all National Car Rental Systems Inc. environmental communications has changed. Please update your records to reflect the new address.

Environmental Coordinator National Car Rental Systems Inc. c/o Baker and Hostetler LLP. Washington Square, Suite 1100 1050 Connecticut Avenue, N.W. Washington, D.C. 20036

Telephone: (202) 861-1753 Facsimile: (202) 861-1783

#### CROSBY, HEAFEY, ROACH & MAY

PROFESSIONAL CORPORATION

ATTORNEYS AT LAW
1999 HARRISON STREET
OAKLAND, CALIFORNIA 94612-3573

(510) **763-2000** FAX (510) 273-8832

MAILING ADDRESS:
POST OFFICE BOX 2084
OAKLAND, CALIFORNIA 94604-2084

LOS ANGELES (213) 896-8000 CENTURY CITY (310) 203-2630

SAN FRANCISCO (415) 543-8700

William D. Wick
Direct Dial: (510) 466-6842
Internet Address: bwick@chm.com

October 20, 1999

Via Facsimile and U.S. Mail

Mr. Larry Seto Sr. Hazardous Materials Specialist Alameda County Health Care Agency Environmental Health Services 1131 Harbor Bay Parkway, Suite 250 Alameda, CA 567-6700

Re: Prentiss Properties, 1750 Webster St., Oakland, CA
Closure Summary

Dear Mr. Seto:

I represent Prentiss Properties, as we discussed on October 8 when I called to inquire about closure status for 1750 Webster Street. Thank you for so quickly following up on this matter. I'm writing to respond to your October 8 letter to Charles Sumner of Prentiss Properties, as well as to follow up on our telephone conversation

In your letter, you requested information concerning the site history to assist in your preparation of a closure summary for the site. I've enclosed the "Historical Review" portion of a 1993 report prepared by Applied Geosciences, Inc. The report reviewed three parcels, but only "Parcels 2 and 3" constitute the site. (The enclosed Figure 2 from the Applied Geosciences Report shows the subject property, Parcels 2 and 3, at 1750 Webster Street.) As you will see, *all* of the historical information (the historical photographic evidence, old Sanborn maps, and old directories) indicates that the site was used *only* as a residence and a parking lot.

After our phone discussion regarding the fact that the site data indicates groundwater impacts from an off-site source or sources, I reviewed the files to identify potential sources. I am enclosing two excerpts from reports which may be helpful. First, from the 1993 Applied Geosciences report, a summary of nearby properties from County and Regional Board files. Second, from ATC's April 13, 1998 Workplan, the

99 00T 21 PH 4: 31

# CROSBY, HEAFEY, ROACH & MAY

Mr. Larry Seto October 20, 1999 Page 2

"Background" section, which notes that the Douglas Parking site and the former Chevron site are potential sources. However, the report notes that there are 43 sites listed in governmental environmental databases within 1/4 mile of the site, and that these are potential sources as well. Table 1 and Figure 1 from the report are enclosed as well to assist you in identifying the potential upgradient sources.

I hope this information is helpful. We very much appreciate your efforts to expeditiously complete the closure process for this site. If you have any additional questions or if I can help in any way, please call.

Villiam D. Wick

**Enclosures** 

#### ALAMEDA COUNTY

## **HEALTH CARE SERVICES**

AGENCY

DAVID J. KEARS, Agency Director



ENVIRONMENTAL HEALTH SERVICES

ENVIRONMENTAL PROTECTION 1131 Harbor Bay Parkway, Suite 250 Alameda, CA 94502-6577 (510) 567-6700 FAX (510) 337-9335

October 8, 1999

Mr. Charles A. Sumner II, Vice President Prentiss Properties 2485 Natomas Park Drive, Suite 350 Sacramento, CA 95833

RE: Prentiss Properties, 1750 Webster Street, Oakland, CA 94612

Dear Mr. Sumner:

I have reviewed your Quarterly Groundwater Monitoring Report, First Quarter 1999 dated April 1, 1999 that was prepared by ATC Associates Inc. for the above site. It appears that the contamination detected in the groundwater is from an off-site source. To assist me in your request to prepare a closure summary for this site, please submit to me information concerning the site history. The site history should include at a minimum the following information: when the property was developed, former property owners, former businesses on the property, the nature of their business, and types of hazardous materials or hazardous wastes stored on the property.

If you have any questions, please call me at (510) 567-6774.

Sincerely,

Larry Seto

Sr. Hazardous Materials Specialist

Cc: Jim Lehrman, ATC Associates Inc., 6666 Owens Drive, Pleasanton, CA 94588 Files



April 6, 1999

Mr. Larry Seto Senior Hazardous Materials Specialist Alameda County Health Care Services Agency Environmental Health Services 1131 Harbor Bay Parkway, Suite 250 Alameda, CA 94502-6577

Re:

Well Installation and Quarterly Groundwater Monitoring Report 1750 Webster Street Oakland, California ACHCSA File No. 4617

Dear Mr. Seto:

Enclosed is a copy of ATC Associates, Inc.'s Quarterly Groundwater Monitoring Report for the First Quarter 1999 for the Prentiss Properties site located at 1750 Webster Street in the City of Oakland, Alameda County. This is the final report covering the installation of three (3) groundwater monitoring wells at the site and the four (4) required quarterly monitoring events as part of the work plan approved on May 28, 1998 by ACHCSA.

Since we have now completed the required; 1) year of monitoring; 2) Risk Based Corrective Action (RBCA) study; and, 3) established the groundwater gradient which points to an undetermined off-site source of contamination, we are requesting case closure for the site.

Please contact either me at (916) 646-0760 or Jim Lehrman of ATC Associates at (925) 460-5300 so that we can discus the process to proceed with case closure for this site.

Sincerely,

PRENTISS PROPERTIES LIMITED, INC.

Charles A. Sumner II

Manual Burnett

Vice President

Development & Asset Management

CAS:ew

n:\charlie\oakland\setoltr.doc

Enclosure

cc: James A. Lehrman (w/o attachment)

PS: PM B-99M. R.

#### ALAMEDA COUNTY

#### **HEALTH CARE SERVICES**

**AGENCY** 





**ENVIRONMENTAL HEALTH SERVICES** 

1131 Harbor Bay Parkway, Suite 250 Alaméda, CA 94502-6577 (510) 567-6700 (510) 337-9335 (FAX)

December 18, 1998

Mr. Charles Sumner II Prentiss Properties LTD, Inc. 2485 Natomas Park Drive, Suite 350 Sacramento, CA 95833

RE: 1750 Webster Street, Oakland, CA

Dear Mr. Sumner

I would like to introduce myself as the new caseworker for the above site. I have reviewed your Second and Third Quarter 1998 Groundwater Monitoring Report dated September 25, 1998. I look forward to receiving and reviewing subsequent monitoring reports.

The current balance on this project is \$85.60. This office charges \$100.00/ hour for our services. Please submit another deposit/refund check to this office for \$1,000.00, made payable to the County of Alameda-Environmental Health Division.

If you have any questions, please contact me at (510) 567-6774.

Sincerely,

Larry Seto

Sr. Hazardous Materials Specialist

Cc: Leroy Griffin, City of Oakland, Fire Department

Files



PROTECTION 98 OCT -1 PH 3: 10

September 30, 1998

SID 4617

Mr. Thomas Peacock Alameda County Health Care Services Agency 1131 Harbor Bay Parkway, Suite 250 Alameda, CA 94502-6577

Re:

Well Installation and Quarterly Groundwater Monitoring Report 1750 Webster Street Oakland, California ACHCSA File No. 4617

Dear Mr. Peacock:

Pursuant to our telephone conversation today, enclosed is a copy of ATC Associates, Inc.'s Well Installation and Quarterly Groundwater Monitoring Report for the Second and Third Quarters 1998 for the Prentiss Properties site located at 1750 Webster Street in the City of Oakland, Alameda County. This report covers the installation of the three (3) groundwater monitoring wells at the site and the first two quarterly groundwater monitoring events as part of a work plan previously approved by Pam Evans of your department. Future groundwater monitoring reports will be provided to you covering the fourth quarter 1998 and the first quarter 1999.

If you have any questions regarding this report, you may contact either me at (916) 646-0760 or Jim Lehrman of ATC Associates at (925) 460-5300.

Sincerely,

PRENTISS PROPERTIES LIMITED, INC.

Charles a. Summer

Charles A. Sumner II

Vice President - Development & Asset Management

CAS:ew

n:\charlie\oakland\peacockltr.doc

A. 16. 66

#### ALAMEDA COUNTY

#### **HEALTH CARE SERVICES**

**AGENCY** 





**ENVIRONMENTAL HEALTH SERVICES** 

1131 Harbor Bay Parkway Alameda, CA 94502-6577 (510)

May 28, 1998

Charles Sumner II Prentiss Properties LTD, Inc. 2485 Natomas Park Drive, Suite 350 Sacramento CA 95833

RE: Work Plan for Investigation of Groundwater Contamination at 1750 Webster St., Oakland 94612 (Our Site # 4617)

Dear Mr. Sumner:

This letter summarizes the issues discussed at the meeting held April 14, 1998 with Jim Lehrman of ATC Associates. The work plan is acceptable to this office, provided that halogenated volatile organic compounds (HVOCs) are included in groundwater analyses.. My colleague Madhulla Logan has the following comments regarding the risk assessment prepared by Versar Inc:

- Pathways evaluated: The risk assessment included only outdoor exposure pathways. Because
  groundwater contamination concentrations are high, the site will have to be re-evaluated for
  risks associated with indoor inhalation pathways should the use of the site vary from what is
  currently planned. Also, unless the ticket booths, which are enclosed structures, are located in
  areas of low contamination, the indoor inhalation pathway should be evaluated for persons
  working within them. The County will inform the City of Oakland's Planning and Building
  Office of the site's status.
- Soil contamination: Evaluation of the surface pathway for construction workers is required if
  contamination exists within 5 feet of the surface in the vadose zone. When soil concentrations
  exceed the Tier 1 risk based screening levels, risk from soil concentrations must be evaluated for
  the various pathways.
- Calculations: Total soil porosity should equal (volumetric water content in vadose zone + volumetric air content in vadose zone).

At this time, I am transferring responsibility for your case to the Program Supervisor, Thomas Peacock. I have reminded him of the two other cases located near yours and requested that all three cases be managed by the same case worker. You may contact Mr. Peacock at (510) 567-6782 with any questions.

Sincerely,

Pamela J. Evans

Senior Hazardous Materials Specialist

C: Thomas Peacock, ACEHS
 Jim Lehrman, ATC Associates, 6666 Owens Dr. Pleasanton CA 94588
 Calvin Wong, City of Oakland Planning and Building Office, 1331 Broadway, Oakland CA 94612



April 14, 1998

Ms. Pamela J. Evans
Senior Hazardous Materials Specialist
Alameda County Health Care Services Agency
Environmental Health Services
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

Re:

PARKING LOT 1750 Webster Street Oakland, California ACHCSA Site #4617

Dear Ms. Evans:

As requested under Section 6 of your letter dated February 19, 1998, attached is a check in the amount of \$1,000.00 payable to Alameda County Health Care Services Agency to replenish our deposit for regulatory oversight by your office.

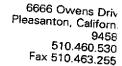
Sincerely,

PRENTISS PROPERTIES LIMITED, INC.

Charles A. Sumner II
Development Officer

CAS:ew n:\charlie\oakland\413ltrevans.doc

Attachment





April 13, 1998

61877.0004

Alameda County Health Care Services Agency Environmental Health Services 1131 Harbor Bay Parkway, Suite 250 Alameda, CA 94502

Attention:

Ms. Pamela J. Evans

SUBJECT:

WORK PLAN FOR WELL INSTALLATION

GROUNDWATER MONITORING AT 1750 WEBSTER STREET, OAKLAND,

Dear Ms. Evans:

On behalf of Prentiss Properties Limited, Inc., ATC Associates Inc. (ATC) has prepared this work plan to present the scope and schedule to install three groundwater monitoring wells and to perform one year of quarterly groundwater monitoring at the auto parking parcel located at 1750 Webster Street in Oakland, California (site; Figure 1).

## BACKGROUND

An environmental site assessment (ESA) was prepared for the site by Applied Geosciences Inc. (AGI) in January 1993. Subsequent work at the site in March 1993 by AGI involved a geophysical survey and a subsurface investigation, including the collection and analyses of soil and groundwater samples. No USTs were identified by the geophysical survey, but elevated concentrations of total petroleum hydrocarbons (TPH) as gasoline (TPHg), benzene, toluene, ethylbenzene, and xylenes (BTEX), were detected in groundwater samples collected from the site during this investigation. The highest concentrations of TPHg and BTEX were reported in the groundwater sample collected from HP-1 (200, 18, 24, 2.9, and 13 milligrams per liter {mg/l}, respectively). concentrations of TPHg and BTEX were reported in HP-2 (42, 0.046, 0.90, 2.2, and 5.5 mg/l, respectively). An additional subsurface investigation was conducted at the site by AGI in May 1993 to assess the likelihood of an on-site source for the TPHg and BTEX, and to conduct an additional geophysical survey. Four soil borings were installed around the previous groundwater sampling locations and near an area identified as patched asphalt. The borings were drilled to depths of approximately 20 feet below ground surface (bgs), and two sample were analyzed from each boring. No significant concentration of TPH-G or BTEX were detected in any of the soil samples. No USTs were identified by the geophysical survey.

#### Work Plan for Additional Subsurface Investigation 1750 Webster Street Oakland, California

The results of the additional investigation (May 1993) did not, in the judgment of Applied Geosciences Inc., indicate the presence of an on-site source for the constituents reported in the groundwater. Based on the results, it was suspected that the source for the TPHg and BTEX was migration from an off-site source, likely a documented leaking underground storage tank (LUST) located immediately across Webster Street to the east (Douglas Parking site). The most recent investigations (February 1998) of the Douglas Parking site suggest that the shallow groundwater gradient is to the north-northeast.

On February 7 and 8, 1998, ATC conducted a soil and groundwater investigation to confirm that no USTs exist at the Site, and to determine whether the source of the groundwater contamination is off-site or on-site. The results of the investigation were presented in the March 19, 1998 report *Soil and Groundwater Investigation for 1750 Webster Street, Oakland, California*, and submitted to the ACHCSA. The February 1998 subsurface investigation involved a geophysical survey, installation of twelve borings throughout the Site, and collection of soil and groundwater samples for analysis. A magnetometer survey indicated four anomalies at the Site, but due to heavy rains during the survey, the anomalies could not be confirmed on the same day with ground penetrating radar (GPR). Despite the fact that the anomalies could not be confirmed by the GPR, the soil boring locations were adjusted to locations adjacent to the magnetometer anomalies to test for the presence of petroleum hydrocarbons in the soil. The GPR survey was rescheduled and completed on February 17, 1998 and did not detect the presence of USTs beneath the Site.

Twelve soil borings were advanced using a Geoprobe sampling rig on February 7 and 8, 1998 (see Figure 3 for boring locations). Two samples were collected from each boring and analyzed for TPH-G, BTEX and methyl tert-butyl ether (MTBE). One groundwater grab sample was also collected from each boring and analyzed for TPH-G, BTEX and MTBE. Groundwater samples from five of the borings were also analyzed for halogenated volatile organic compounds (HVOCs). Groundwater was detected at a depth of approximately 20 feet bgs. None of the soil samples collected from above that depth had detectable concentrations of TPH-G, BTEX or MTBE. All of the groundwater samples did have detectable concentrations of TPH-G, BTEX and MTBE, and three had detectable concentrations of HVOCs.

The Soil and Groundwater Investigation report concluded that the source, or sources, of the groundwater contamination at the Site is located off-site, possibly to the south and/or southwest. A number of potential off-site sources were identified in the Environmental Assessment of the Site prepared by Applied Geosciences, Inc. (1993a), including the Douglas Parking site, and the former Chevron site located at the southwest corner of 17th Street and Harrison. Both of these sites have been identified as sources of groundwater petroleum hydrocarbon contamination, and are located generally up-gradient of the 1750 Webster Street Site. Groundwater samples from the Chevron site also contained concentrations of the same HVOCs detected at the Site. Other potential off-site sources of groundwater contamination may be as-of-yet unidentified. A Custom Detail Radius Report was run by Environmental Risk Imaging and Information Services (ERIIS) for the Site on March 9, 1998. This report lists sites within specified distances of the subject property which are

#### Work Plan for Additional Subsurface Investigation 1750 Webster Street Oakland, California

listed in governmental environmental databases. Forty three sites within on quarter mile of the subject Site were identified in the ERIIS Custom Detail Radius Report. These sites are potential sources of groundwater contamination.

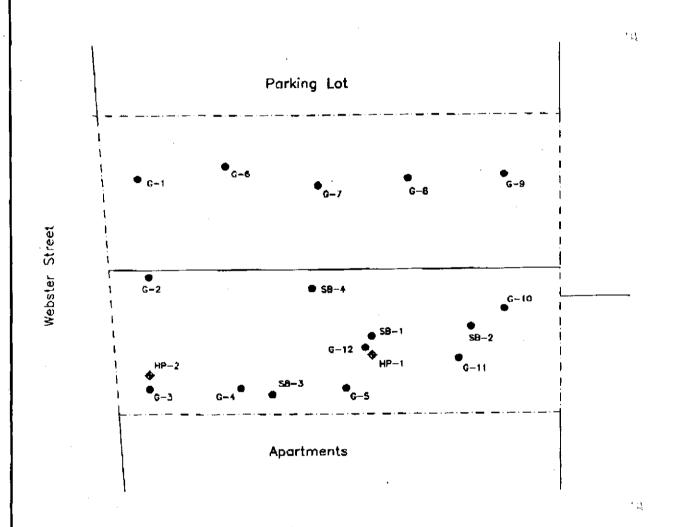
# ATC Associates Inc.

## **Fax Transmittal**

6666 Owens Drive Pleasanton, California 94588 (510) 460-5300 • FAX (510) 463-2559

DATE: April 10, 1998	TIME:		
Projectiv	10, 0 107 7.0004		
TO: Pam Evans	FAX NO	(510).337-9335	
COMPANY: Alameda County Health	Agency		
NUMBER OF PAGES TO FOLLOW:	8		
NUMBER OF PAGES TO FOLLOW.		<del></del>	
MESSAGE:	* •		
Attached is a Draft Work Plan for the me know if you'd like to see any modification.  Please call me at (510) 460-5300 if you	ations. I will bring	a final copy to the	
<del></del>			
Confidential:	Yes	No	x
	er ger i 14 W	<del></del>	
Urgent Delivery Requested:	Yes	No _	Х
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Urgent Delivery Requested:	Yes	No _	Х
Urgent Delivery Requested: Reply Requested:	Yes	No _	Х
Urgent Delivery Requested: Reply Requested: DELIVER CC TO:	Yes	No _	Х
Urgent Delivery Requested: Reply Requested: DELIVER CC TO: Thank you,	Yes	No _	Х





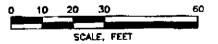
#### **EXPLANATION**

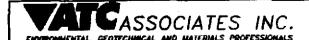
Previous Hydropunch Location and Designation

● SB-1 Previous Soil Boring Location and Designation

#### NOTES

1) All locations and dimensions are approximate.



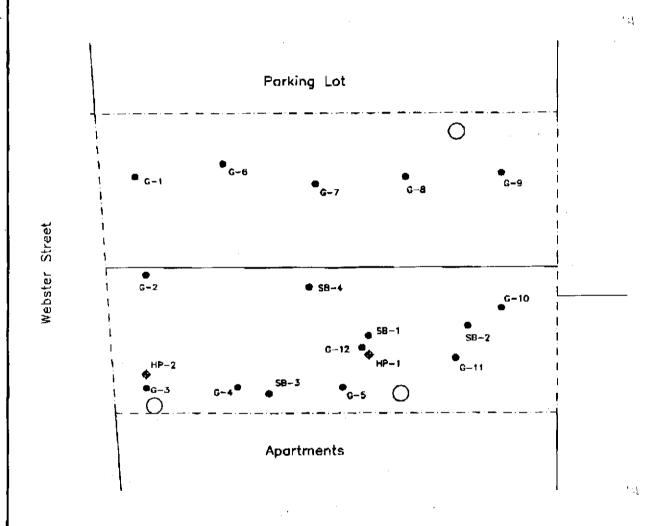


SITE PLAN 1750 WEBSTER STREET OAKLAND, CALIFORNIA

PROJECT NO. 61877.0004

FIGURE 2





#### EXPLANATION

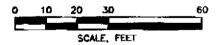
Proposed monitoring well location

Previous Hydropunch Location and Designation HP-1

Previous Soll Boring Location and Designation ● SB-1

#### NOTES

1) All locations and dimensions are approximate.



PROPOSED MONITORING WELL LOCATION MAP

1750 WEBSTER STREET OAKLAND, CALIFORNIA

PROJECT NO. 61877.0004

FIGURE 3



THE PROPERTY OF THE STATE OF APR -7 AM 7: 17

April 3, 1998

Ms. Pamela J. Evans
Senior Hazardous Materials Specialist
Alameda County Health Care Services Agency
Environmental Health Services
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

VIA FACSIMILE (510) 337-9335

ORIGINAL VIA U.S. MAIL

Re:

1750 Webster Street Oakland, California ACHCSA Site #4617

Dear Ms. Evans:

This letter will confirm that Jim Lehrman of ATC Associates, Inc. and myself are scheduled to meet with you on April 14, 1998 at 2:00 p.m. to discuss ATC's work plan for the installation of three (3) groundwater wells and quarterly monitoring of the 1750 Webster Street site. A copy of ATC's proposal is enclosed and a copy of their work plan will be sent under separate cover for your review prior to our meeting.

If you have any questions prior to our meeting, please contact me at (916) 646-0760.

Sincerely,

PRENTISS PROPERTIES LIMITED, INC.

Charles A. Sumner II
Development Officer

CAS:ew charlie\oakland\evans43ltr.doc

Enclosure

cc: Jim Lehrman (w/o enclosure)



March 30, 1998 Revised Letter

Ms. Pamela J. Evans
Senior Hazardous Materials Specialist
Alameda County Health Care Services Agency
Environmental Health Services
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

Note: Please substitute this revised letter in lieu of the previous letter dated March 27, 1998

Re: 1750 Webster Street
Oakland, California
ACHCSA Site #4617

Dear Ms. Evans:

This letter is in follow up to the meeting held on February 17, 1998 at your office with you, your colleague Madhulla Logan and Jim Lehrman of ATC Associates and responds to the items in your subsequent letter to me dated February 19<sup>th</sup>.

Attached are the following documents that provide the results of our recent subsurface investigation, which included a survey for underground tanks as well as soil and groundwater sampling, and a subsequent Risk Based Corrective Action (RBCA) Assessment:

- ATC Associates, Inc. Soil and Groundwater Investigation for 1750 Webster Street, Oakland, California dated March 19, 1998
- Versar Inc. Risk Based Corrective Action Assessment for the Property Located at 1750 Webster Street, Oakland, California dated February 23, 1998

#### Soil and Groundwater Investigation Summary:

The purpose of ATC Associates ("ATC") soil and groundwater investigation was to determine whether the source of groundwater contamination is off-site or on-site. This was accomplished by performing a geophysical survey, installing twelve soil borings throughout the site and collecting soil and groundwater samples for analysis.

Groundwater was detected at a depth of approximately 20 feet below ground surface. None of the soil samples collected from above that depth had detectable concentrations of TPH-G, BTEX or MTBE. All of the groundwater samples did have detectable concentrations of TPH-G, BTEX and MTBE. In addition, three samples had detectable concentrations of HVOC's.

Ms. Pamela J. Evans March 30, 1998 Page 2

Based upon the results of their investigation, it is ATC'S conclusion that the source or sources of groundwater contamination at the property is located off-site, possibly to the south or southwest. Several potential off-site sources of groundwater petroleum hydrocarbon contamination upgradient of the 1750 Webster site have been previously identified. These include the Douglas Parking site, located at 1721 Webster Street, and the former Chevron site located at the southwest corner of 17<sup>th</sup> Street and Harrison Street.

#### Risk Based Corrective Action Assessment Summary:

The purpose of Versar's RBCA assessment was to develop Site Specific Target Levels (SSTLs) for chemicals detected in groundwater at the 1750 Webster site. The SSTLs derived in the assessment were compared to concentrations of chemicals detected in the groundwater to determine whether the existing groundwater conditions would pose a threat under indoor or outdoor exposure scenarios. Based upon the assumption that the 1750 Webster Street site is planned for the development of an above-ground, non-enclosed parking structure, the future site would most likely be representative of outdoor exposures. Benzene was determined to be the chemical of greatest concern at the site with a SSTL of 640 parts per million ("ppm") under the outdoor exposure scenario. The highest concentration of benzene in the site's groundwater is 10 ppm. Due to the fact that any parking structure constructed at the site would contain some environments more representative of indoor exposures (i.e., toll booth and maintenance closets), the SSTLs for benzene under the indoor exposure scenario was determined to be 1.1 ppm. Based on discussions with our engineering consultant, exposure to indoor air in the parking structure could be mitigated through engineering controls or by eliminating the construction of enclosed spaces on the ground floor.

Based upon ATC's groundwater analysis, the planned use for the site and the results of Versar RBCA assessment, it is Versar's conclusion that the presence of petroleum constituents within the shallow groundwater does not represent a health concern that will restrict the development of the site as an above-ground parking structure.

#### **Groundwater Monitoring Wells:**

Under Section 4 of your February 19<sup>th</sup> letter, you indicated that a further investigation of on-site groundwater contamination will be required for case closure and that at least three groundwater monitoring wells will be required.

We have decided to proceed with the installation of groundwater monitoring wells and to perform one year of quarterly groundwater monitoring. ATC has been requested to provide us with a proposal and cost estimate to complete this work. Prior to proceeding with the work, we would like ACHCSA to review ATC's work plan and proposed well locations. A copy of the work plan will be sent to you next week for your review and then I would like to schedule a follow up meeting at your offices to receive your comments and discuss any changes.

Ms. Pamela J. Evans March 30, 1998 Page 3

#### **Deposit for Regulatory Oversight:**

As requested under Section 6 of your February 19<sup>th</sup> letter, we are processing a check in the amount of \$1,000.00 payable to Alameda County to replenish our deposit for regulatory oversight by your office. This check will be sent to you under separate cover.

I am looking forward to continue working with you to obtain case closure for the 1750 Webster Street site.

Please contact me at (916) 646-0760 if you have any questions.

Sincerely,

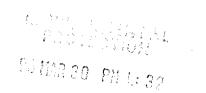
PRENTISS PROPERTIES LIMITED, INC.

Charles A. Sumner II
Development Officer

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cc: Steven E. Campbell (w/o enclosures)
James A. Lehrman (w/o enclosures)
David Robertson (w/o enclosures)





March 27, 1998

Ms. Pamela J. Evans Senior Hazardous Materials Specialist Alameda County Health Care Services Agency Environmental Health Services 1131 Harbor Bay Parkway, Suite 250 Alameda, CA 94502-6577

Re: 1750 Webster Street

Oakland, California ACHCSA Site #4617

#### Dear Ms. Evans:

This letter is in follow up to the meeting held on February 17, 1998 at your office with you, your colleague Madhulla Logan and Jim Lehrman of ATC Associates and responds to the items in your subsequent letter to me dated February 19<sup>th</sup>.

Attached are the following documents that provide the results of our recent subsurface investigation, which included a survey for underground tanks as well as soil and groundwater sampling, and a subsequent Risk Based Corrective Action (RBCA) Assessment:

- ATC Associates, Inc. Soil and Groundwater Investigation for 1750 Webster Street, Oakland, California dated March 19, 1998
- Versar Inc. Risk Based Corrective Action Assessment for the Property Located at 1750 Webster Street, Oakland, California dated February 23, 1998

#### Soil and Groundwater Investigation Summary:

The purpose of ATC Associates ("ATC") soil and groundwater investigation was to determine whether the source of groundwater contamination is off-site or on-site. This was accomplished by performing a geophysical survey, installing twelve soil borings throughout the site and collecting soil and groundwater samples for analysis.

Groundwater was detected at a depth of approximately 20 feet below ground surface. None of the soil samples collected from above that depth had detectable concentrations of TPH-G, BTEX or MTBE. All of the groundwater samples below that depth did have detectable concentrations of TPH-G, BTEX and MTBE and three samples had detectable concentrations of HVOC's.

Ms. Pamela J. Evans March 27, 1998 Page 2

Based upon the results of their investigation, it is ATC'S conclusion that the source or sources of groundwater contamination at the property is located off-site, possibly to the south or southwest. Several potential off-site sources of groundwater petroleum hydrocarbon contamination upgradient of the 1750 Webster site have been previously identified. These include the Douglas Parking site, located at 1721 Webster Street, and the former Chevron site located at the southwest corner of 17<sup>th</sup> Street and Harrison Street.

#### Risk Based Corrective Action Assessment Summary:

The purpose of Versar's RBCA assessment was to develop Site Specific Target Levels (SSTLs) for chemicals detected in groundwater at the 1750 Webster site. The SSTLs derived in the assessment were compared to concentrations of chemicals detected in the groundwater to determine whether the existing groundwater conditions would pose a threat under indoor or outdoor exposure scenarios. Based upon the assumption that the 1750 Webster Street site is planned for the development of an above-ground, non-enclosed parking structure, the future site would most likely be representative of outdoor exposures. Benzene was determined to be the chemical of greatest concern at the site with a SSTL of 640 parts per million ("ppm") under the outdoor exposure scenario. The highest concentration of benzene in the site's groundwater is 10 ppm. Due to the fact that any parking structure constructed at the site would contain some environments more representative of indoor exposures (i.e., toll booth and maintenance closets), the SSTLs for benzene under the indoor exposure scenario was determined to be 1.1 ppm. Any exposure to indoor air in the parking structure could be mitigated through engineering controls or by eliminating the construction of enclosed spaces on the ground floor.

Based upon ATC's groundwater analysis, the planned use for the site and the results of Versar's RBCA assessment, it is Versar's conclusion that the presence of petroleum constituents within the shallow groundwater does not represent a health concern that will restrict the development of the site as a parking structure.

#### **Groundwater Monitoring Wells:**

Under Section 4 of your February 19<sup>th</sup> letter, you indicated that a further investigation of on-site groundwater contamination will be required for case closure and that at least three groundwater monitoring wells will be required.

We have decided to proceed with the installation of groundwater monitoring wells and to perform one year of quarterly groundwater monitoring. ATC has been requested to provide us with a proposal and cost estimate to complete this work. Prior to proceeding with the work, we would like ACHCSA to review ATC's work plan and proposed well locations. A copy of the work plan will be sent to you next week for your review and then I would like to schedule a follow up meeting at your offices to receive your comments and discuss any changes.

Ms. Pamela J. Evans March 27, 1998 Page 3

#### **Deposit for Regulatory Oversight:**

As requested under Section 6 of your February 19<sup>th</sup> letter, we are processing a check in the amount of \$1,000.00 payable to Alameda County to replenish our deposit for regulatory oversight by your office. This check will be sent to you under separate cover.

I am looking forward to continue working with you to obtain case closure for the 1750 Webster Street site.

Please contact me at (916) 646-0760 if you have any questions.

Sincerely,

PRENTISS PROPERTIES LIMITED, INC.

Charles A. Sumner II
Development Officer

CAS:ew

cc: Steven E. Campbell (w/o enclosures)
James A. Lehrman (w/o enclosures)

#### ALAMEDA COUNTY

#### **HEALTH CARE SERVICES**

**AGENCY** 

DAVID J. KEARS, Agency Director



February 19, 1998

Charles Sumner II
Prentiss Properties LTD, Inc.
2485 Natomas Park Drive, Suite 350
Sacramento CA 95833

**ENVIRONMENTAL HEALTH SERVICES** 

1131 Harbor Bay Parkway, Suite 250 Alameda, CA 94502-6577 (510) 567-6700 (510) 337-9335 (FAX)

RE: Development of Parcels at and adjacent to 1750 Webster St., Oakland 94612 (Our Site # 4617)

Dear Mr. Sumner:

This letter summarizes the issues discussed at the meeting held February 17, 1998 with you and Jim Lehrman of ATC Associates. My colleague Madhulla Logan also was present. We discussed the results of your recent subsurface investigation, which included a survey for underground tanks as well as soil and groundwater sampling.

- 1. At a minimum, you will need to perform a risk evaluation of the contaminants found in groundwater. The risk assessor needs to follow the procedures outlined in ASTM E 1735 95

  Standard Guide for Risk-Based Corrective Action Applied at Petroleum Release Sites.
- 2. Should the results of the risk assessment indicate that an unacceptable human health risk exists that can not be mitigated through existing site conditions and/or engineering controls, you may be required to perform further soil and groundwater investigation. The investigation may include collection of soil vapor samples.
- 3. This Office has no objection to your building project proceeding, provided a risk assessment is carried out. The results of the risk assessment must be considered in your project design and construction.
- 4. Further investigation of onsite groundwater contamination is required for case closure. You will need to install at least two groundwater monitoring wells. A third well will be required if you are unable to gain access to Douglas Parking's well (MW-4) located near your property.
- 5. Should the results of your subsurface survey show that underground storage tanks or other onsite sources of contamination exist, you will be required to submit a work plan for a tank closure and further soil and groundwater investigation.
- 6. Your deposit for regulatory oversight by this Office needs to be replenished. Please send payment of \$1,000.00, payable to Alameda County. Any surplus funds will be refunded to you at the time of case closure.

You may contact me at (510)567-6770 with any questions.

Evans

Sincerely.

Pamela I Evans

Senior Hazardous Materials Specialist

C: Distribution, Alameda County Environmental Health Services Jim Lehrman, ATC Associates, 6666 Owens Dr. Pleasanton CA 94588

1998,02-19 10:05 510 337 9335 ALAMEDA CO EHS HAZ-OPS

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# ALAMEDA COUNTY HEALTH CARE SERVICES

**AGENCY** 

DAVID J. KEARS, Agency Director



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February 19, 1998

Prentiss Properties LTD, Inc. 2485 Natomas Park Drive, Suite 350 Sacramento CA 95833 ENVIRONMENTAL HEALTH SERVICES

1131 Harbor Bay Parkway, Suite 250 Alameda, CA 94502-5577 (510) 567-6700 (510) 337-9335 (FAX)

RE: Development of Parcels at and adjacent to 1750 Webster St., Oakland 94612 (Our Site # 4617)

Dear Mr. Sumner:

This letter summarizes the issues discussed at the meeting held February 17, 1998 with you and Jim Lehrman of ATC Associates. My colleague Madhulla Logan also was present. We discussed the results of your recent subsurface investigation, which included a survey for underground tanks as well as soil and groundwater sampling.

 At a minimum, you will need to perform a risk evaluation of the contaminants found in groundwater. The risk assessor needs to follow the procedures outlined in ASTM E 1735 - 95 Standard Guide for Risk-Based Corrective Action Applied at Petroleum Release Sites.

2. Should the results of the risk assessment indicate that an unacceptable human health risk exists that can not be mitigated through existing site conditions and/or engineering controls, you may be required to perform further soil and groundwater investigation. The investigation may include collection of soil vapor samples.

3. This Office has no objection to your building project proceeding, provided a risk assessment is carried out. The results of the risk assessment must be considered in your project design and construction.

4. Further investigation of onsite groundwater contamination is required for case closure. You will need to install at least two groundwater monitoring wells. A third well will be required if you are unable to gain access to Douglas Parking's well (MW-4) located near your property.

5. Should the results of your subsurface survey show that underground storage tanks or other onsite sources of contamination exist, you will be required to submit a work plan for a tank closure and further soil and groundwater investigation.

6. Your deposit for regulatory oversight by this Office needs to be replenished. Please send payment of \$1,000.00, payable to Alameda County. Any surplus funds will be refunded to you

# ATC Associates Inc.

## **Fax Transmittal**

6666 Owens Drive Pleasanton, California 94588 (510) 480-5300 • FAX (510) 463-2559

DATE: February 13, 1998	TIME:		
TO: Pam Evans	FAX NO. (510	9) 337-9335	<del></del>
COMPANY: Prentiss Properties			
NUMBER OF PAGES TO FOLLOW:	5		
MESSAGE:			
Attached are the preliminary results from site. Table 1 includes a summary of the ga summary of the soil sample results. Figure shows the groundwater sample results. Figure Based on these results and our knowledge the source of the groundwater contaminate Charlie Sumner of Prentiss Properties will Tuesday, February 17, 1998, at 10:00 AM Please call me at (510) 460-5300 if you have	roundwater sample gure 2 shows the begure 4 shows the see of the site, our curon is located off-site be able to attend our We look forward to	results. Table a oring locations. oil sample result rrent interpretate (to the south). ur meeting sch	2 includes Figure 3 ts. ion is that
Confidential:	Yes	No	X
Urgent Delivery Requested:	Yes X	No _	
Reply Requested:	Yes	No _	X
DELIVER CC TO: Jack McCubbin			
Thank you,	•		
Jim Lehrman			
Signature			

#### ALAMEDA COUNTY

#### **HEALTH CARE SERVICES**

**AGENCY** 

DAVID J. KEARS, Agency Director



February 4, 1998

Charles Sumner II Prentiss Properties LTD, Inc. 2485 Natomas Park Drive, Suite 350 Sacramento CA 95833 **ENVIRONMENTAL HEALTH SERVICES** 

1131 Harbor Bay Parkway, Suite 250 Alameda, CA 94502-6577 (510) 567-6700 (510) 337-9335 (FAX)

RE: Workplan for Subsurface Investigation

1750 Webster St., Oakland CA 94612 (our site # 4617)

Dear Mr. Sumner:

Today I met with your consultant, Jim Lehrman of ATC Associates. We discussed proposed modifications to the March 1997 investigation work plan. The work plan is acceptable to this Office and includes the following modifications:

- Further investigation of possible underground tanks and associated piping: A geophysical survey will be carried out using a magnetometer. Data collection will occur on a five foot grid. Any positive readings will be further investigated using ground-penetrating radar. Line locator equipment also will be used to investigate possible piping and other structures. Mr. Lehrman told me that construction is planned for this parcel in the future, hence extensive soil excavation will occur. He believes that any tanks that might be missed during the proposed subsurface investigation would be discovered during the construction work.
- Soil sampling: Two soil samples per boring will be taken at a minimum.
   Notwithstanding positive OVM readings, soil samples will be taken at 10' below ground surface and just above the groundwater level.

Once the investigation is complete, please forward a copy of the report to me for review. You may contact me with any questions at (510)567-6770.

Sincerely,

Pamela J. Evans

Senior Hazardous Materials Specialist

Dick Pantages, Environmental Health Services
 Jim Lehrman, ATC Associates, 6666 Owens Dr. Pleasanton CA 94588

From:

To:

Jack: McCubbin	
ATC Associates, Inc.	
fax: 510/463-2559	
Kenneth Blom	
NORCAL Geophysical Consultants, Inc.	
707/763-1312	
Fax: 707/762-5587	
January 29, 1998	

#### Comments:

This is in response to your request for bid to perform a geophysical survey on three parcels (Parcels 1, 2 & 3) located adjacent to Webster, 19th and Harrison Streets in Oakland, CA... As shown on the site map provided by you, Parcel I is approximately 9500 square feet, while the remaining two parcels are about 2500 square feet each. Excavations for proposed structures are planned. The excavation at Parcel I will be for a basement of a building, whereas, at Parcels 2 and 3 there will be a parling structure. The purpose of the geophysical survey is to investigate for subsurface features such as utilities, vaults, tanks and other facilities prior to planning the excavations. For this work we recommend the use of magnetic gradiometer (HAG), ground penetrating radar (GPR) and electromagnetic line locating (EMLL) methods. Our approach will be to first operate the MAG on a 5-foot grid over the survey areas to locate any subsurface metallic objects. The GPR will then be operated over any MAG anomalous areas that indicate possible subsurface features as well as along areas where the MAG cannot be operated due to interference from above ground courter. The EMLL equipment will also be operated where suspected subsurface features may be located, especially to trace pipelines and other utilities. Locations of all features will be marked on the ground surface with spray paint. Following the field work, the data can be processed and an optional final report can be prepared. The report will include a description of data acquisition and analysis procedures as well as the results and our interpretation regarding the location of subsurface features. The report will include, as a minimum, a site plan with locations of detected subsurface features as well as a magnetic contour map that can be provided both in hard copy as well as electronic format, if required. We estimate that the field survey at all three parcels can be completed in about 5 or 6 hours. Estimated costs are as follows:

Mobilization		\$100
field Survey	Parcel I	\$400
	Parcel 2	\$100
	Parcel 3	\$100
Data agalysis	\$100/site	\$300 (optional)
Report		\$200 (optional)
-	ESTIMATED TOTAL	\$1200

We understand that this work will be conducted on a weekend. We trust that this is the information you require at this time. If you have any questions please give us a call. It should be noted that the data analysis and reporting could be considered as optional, as the general findings will be provided in the field and locations marked accordingly. Thank you



TRANSMISSION



DAVID J. KEARS, Agency Director



April 2, 1997 SLIC STID 4617 page 1 of 2

ENVIRONMENTAL HEALTH SERVICES ENVIRONMENTAL PROTECTION (LOP) 1131 Harbor Bay Parkway, Suite 250 Alameda, CA 94502-6577 (510) 567-6700 FAX (510) 337-9335

Attn: Mr. Patrick Martin Prentiss Properties 18881 Von Karman Ave., Suite 220 Irvine CA 92715

RE: parking lot site, Assessor parcel #8-625-16 and #8-625-17, aka 1750 Webster St., Oakland CA 94612

Dear Mr. Martin,

Since my last letter to Prentiss Properties, dated 10/8/96, the following documents have been received in this office:

- 1) your letter dated 12/6/96;
- 2) "Environmental Assessment for Three Parcels Located in Oakland California," prepared by Applied Geosciences Inc. (AGI), dated 1/6/93, under cover letter from yourself dated 3/12/97;
- "Work Plan to Conduct Additional Subsurface Investigation..." prepared by ATC Associates Inc., dated 3/20/97; and
- 4) Transmittal of Documents, from ATC, dated 4/1/97.

We are also in receipt of a check for \$1,410.00 for oversight costs associated with this case, as authorized by Section 3-140.5 of the Alameda County Code.

The following comments and requests are being made subsequent to a review of the 3/20/97 ATC workplan:

- As per my 10/8/96 letter, you were requested to investigate "the area of the previous hydropunch locations, since the one location (HP-1) was particularly contaminated." The ATC workplan includes a boring located approximatly 15 feet to the south of HP-1. You are requested to move this boring to a location not more than 3 feet from HP-1.
- B) The asphalt patches in parcel 3 were described in detail in my 10/8/96 letter. This includes an additional asphalt patch not mentioned in previous AGI reports, but one which I discovered during a site visit on 9/16/96. This asphalt patch is approximately 3' x 5' and

April 2, 1997 SLIC STID 4617 page 2 of 2 Patrick Martin

lies in line with the larger (10' x 6') patch, thus approximating the location of a former dispenser and UST. The 1/6/93 AGI report stated that "there is a moderate likelihood that elevated concentrations of hazardous materials may be present in the subusrface of parcel 3 from past use of the site." In order to more definitively conclude that these patches were NOT the locations of UST and dispenser in the past, you are requested to emplace at least one boring through each location.

As per my 10/8/96 letter, you were requested to investigate the area between these two (smaller) asphalt patches by the use of a backhoe, in order to determine if piping is present between the 2 patches. The ATC workplan did not include this work. Please investigate the area between these two (smaller) asphalt patches in parcel 3 by the use of a backhoe.

PLEASE SUBMIT A REVISED WORKPLAN WITHIN 30 DAYS, OR BY MAY 2, 1997. If you have any questions, please contact me at 510-567-6761.

Sincerely,

Jernifer Eberle

Hazardous Materials Specialist

CC: Gary Millington, Prentiss Properties, 1901 Harrison St., suite 1530, Oakland CA 94612

Alex Gallego, ATC Associates, 2380-Qume Dr., Ste #C, San Jose CA 95131

J. Eberle/file

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March 12, 1997



PROTECTION

97 MAR 17 PH 2: 43

Ms. Jennifer Eberle
Alameda County Health Agency
Division of Environmental Protection
Department of Environmental Health
1131 Harbor Bay Parkway
2nd Floor
Alameda, California 94502-6577

Re:

Webster Street Parking Lot

Subsurface Investigation

Dear Ms. Eberle:

Please allow this letter to convey to your and your staff our findings regarding the referenced site and our intended course of action. Per our December 6, 1996 letter, we committed to performing an historical review of the site which we learned had previously been completed by a firm attempting to purchase the site. Unfortunately, there is little in this report to refute the findings from the borings taken in the April, 1993 report prepared by Applied Geosciences.

Although we remain of the opinion that our site does not contain a source of contamination, and that all the asphalt patches referenced in the numerous reports are strictly aesthetic and/or functional repairs, we are prepared to create a "Work Plan" to further investigate the site as generally requested in your October 8, 1996 letter for your review and approval. Our consultant, ATC Associates, has been authorized to prepare this plan, and we will present you with a draft for general conformance with your request prior to executing this effort. We trust this direction will meet with your approval. For your information, we are enclosing a copy of the Phase I referenced here. We will be in contact with you once our Work Plan is prepared.

Sincerely.

Pat Martin

Regional Director of Construction

CC:

David Robertson Gary Millington



# Fax Transmittal

## 6666 Owens Drive Pleasanton, California 94588 (510) 460-5300 • FAX (510) 463-2559

DATE: 2/4/97	TIME:		
TO: Pan Evans	FAX NO. (510) 337-9335		
COMPANY: Alamada Co.			
NUMBER OF PAGES TO FOLLOW:			
MESSAGE: Affected is the proposed scope of work from our goophysical subcontractor for the Prents Properties site in Oakland			
		- per your reques	· +-
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Confidential:	Yes No		
Urgent Delivery Requested: Reply Requested:	Yes No V		
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DELIVER CC TO:			
Thank you,			
٠			
Jim Lehrman			
Signature			



December 6, 1996

Ms. Jennifer Eberle Environmental Health Services Environmental Protection (LOP) 1131 Harbor Bay Pkwy., Suite 250 Alameda, CA 94502-6577

RE: 1750 Webster Street - Parking Lot Site

Dear Jennifer:

Please allow this letter to convey our intended course of action for the next several months regarding your letter dated October 8, 1996 and our meeting on November 21, 1996. Following is our proposed schedule:

- 1. Receive historical information from your office as discussed in our November 21, 1996 meeting on or before December 20, 1996.
- 2. Perform historical evaluation of the site on or before February 15, 1997. Items to be reviewed may include:
  - a) Aerial photographs
  - b) Sanborn Maps
  - c) Title Registries
  - d) City Regulatory Data
  - e) Business Directories (R.L. Polk)
  - f) Other readily available sources
- 3. Assemble data and create report by March 1, 1997.

R. Martin Inn

- 4. Present report to you and schedule a follow-up meeting on or before March 15, 1997.
- 5. Mutually agree to a future course of action if necessary or create a supplemental closure letter as appropriate.

Given our commitment to perform this historical research, we request you afford us the extension of time referenced here and temporarily postpone your request to perform a Soil and Water Investigation. As we stated in our meeting, we too wish to understand the magnitude of the situation prior to commencing larger scale investigation measures. Thank you for considering our request. Please contact us if you have further questions.

Sincerely.

Patrick R. Martin

Regional Director of Construction

PRM:nm

CC:

David Robertson Gary Millington

#### ALAMEDA COUNTY

#### **HEALTH CARE SERVICES**

AGENCY



DAVID J. KEARS, Agency Director

October 8, 1996 STID 4617 page 1 of 3

Attn: Gary Millington
Prentiss Properties
1901 Harrison St., suite 1530
Oakland CA 94612

ENVIRONMENTAL HEALTH SERVICES ENVIRONMENTAL PROTECTION (LOP) 1131 Harbor Bay Parkway, Suite 250 Alameda, CA 94502-6577 (510) 567-6700 FAX (510) 397-9335

RE:

parking lot site, Assessor parcel #8-625-16 and #8-625-17, aka 1750 Webster St., Oakland CA 94612

Dear Mr. Millington,

As we discussed today, you are the property manager for the above referenced site, and you indicated that any correspondence should be sent to your office. As we discussed, environmental work was conducted on this (and another adjacent) site in 1993 by Applied Geosciences Inc. (AGI). This site was referred to as Parcel 2 and Parcel 3 in three AGI reports generated in 1993. You indicated that although there are two parcel numbers, it is one parking lot site.

Our office responded to these reports by letters dated 8/26/93 and 9/17/93, signed by Tom Peacock, Supervising HMS. The 9/17/93 letter indicated that "further investigation or remediation of your site will not be required at this time (emphasis added). . However, if new information is presented that would point towards a source on your site or additional contamination, a case may be opened requiring further investigation." One reason that further work was not requested in 1993 was AGI's identification of the issue of an apparent "on-site migration of hazardous materials onto the site from a potential off-site source." In addition, this potential off-site source was mentioned in our two 1993 letters.

This potential off-site source was believed to be the Douglas Parking site, 1721 Webster St. Three groundwater monitoring wells were installed at the Douglas site on 9/8/94. Two additional groundwater monitoring wells (and seven Geoprobe borings) were installed in 1996. Groundwater flow direction has been historically calculated towards the Northeast. Hence, your site (1750 Webster) appears to be located cross-gradient, as opposed to downgradient, from the Douglas site. See the attached figures from the Cambria report.

One of Douglas' wells (MW4) is located in Webster St. across from the Douglas site, which is on the same side of the street as your site. This well is monitoring groundwater conditions which are both down- and cross-gradient from the Douglas site. It is possible that MW4 is also monitoring down- and/or cross-gradient groundwater conditions from your site. Soil sampled from the capillary fringe (20.5' below ground surface or bgs) in MW4 indicates non-detectable (ND) concentrations of benzene, and trace concentrations of Total Petroleum Hydrocarbons

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### ALAMIADA COUNTY

# HEALTH CARE SERVICES







October 8, 1996 STID 4617 page 1 of 3

Attn: Gary Millington Prentiss Properties 1901 Harrison St., suite 1530 Oakland CA 94612 ENVIRONMENTAL HEALTH SERVICES ENVIRONMENTAL PROTECTION (LOP) 1131 Harbor Bay Parkway, Suite 250 Alameda, CA 94502-6577 (510) 567-6700 FAX (510) 337-9335

RE: parking lot site, Assessor parcel #8-625-16 and #8-625-17, aka 1750 Webster St., Oakland CA 94612

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Attn: Gary Millington

as gasoline (TPH-g) and toluene, ethylbenzene, and xylenes (TEX). However, groundwater sampled from MW4 indicates 14,000 parts per billion (ppb) TPH-g, (ND benzene) 1,200 ppb toluene, 720 ppb ethylbenzene, and 3,100 ppb xylenes. The laboratory noted that the contamination was possibly aged gasoline. These data suggest that the groundwater contamination discovered on your site in 1993 may be contributing to the gasoline plume in Webster St.

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Therefore, you are requested to perform a Soil and Water Investigation (SWI), as per Sect. 2724 of Chapter 16, Division 3, Title 23, California Code of Regulations. Please submit a workplan for a SWI within 60 days, or by December 8, 1996. The workplan should be submitted under cover letter from the main contact at your company. "Permanent" groundwater monitoring wells will be required to document subsurface conditions over time. The previous work done at your site consisted of two hydropunch locations (with two grab groundwater samples), and four soil borings.

The 1/6/93 AGI reports indicate the presence of two separate asphalt patches in Parcels 2 and 3. The 1/6/93 AGI report states that "a long, narrow asphalt patch was observed on parcel 2, while a rectangular asphalt patch approximately 10' x 6' in size was present on the back portion of Parcel 3, away from Webster." AGI reported that "the rectangular patch may indicate that an underground tank was removed from the site." AGI concluded that "there is currently a lack of information from which to make a conclusion on the likelihood that underground tanks from this potential gasoline station are present." During a site visit on 9/16/96 I observed an additional asphalt patch on Parcel 3, in line with the 10' x 6' patch, and on the side of the parking lot next to the apartment building. This additional patch is approximately 3' x 5', and may approximate the size of a former fuel dispenser. I have enclosed copies of photos taken of these patches. However, during our telecon on 9/24/96, you indicated that all three patches were due to sink holes and "crocodiling" of the asphalt (aka asphalt repairs).

Still, there is no proof that those patches were not made post tank removal. Since there is no asphalt patch adjoining the two smaller patches, it is possible that piping may still exist in place. Therefore, you are requested to investigate the area between these two smaller asphalt patches by the use of a backhoe, since it can easily dig and trench for possible piping. This should answer the question of whether a UST was present in this area.

In addition, the SWI workplan should include soil and groundwater investigation in the area of the previous hydropunch locations, since the one location (HP-1) was particularly contaminated (1993 AGI investigation). It is interesting to note that the previous soil investigation (SB-1) near this contaminated groundwater hotspot had ND concentrations at 10' and 20'bgs. It is unfortunate that the boring logs were not included with this AGI report (6/1/93), which may have indicated PID readings and/or field indications of the soils encountered.

October 8, 1996 STID 4617 page 3 of 3 Attn: Gary Millington

All work should adhere to a) the Tri-Regional Board Staff Recommendations for Preliminary Evaluation and Investigation of Underground Tank Sites, dated 8/10/90; and b) Article 11 of Title 23, California Code of Regulations. Reports and proposals must be submitted **under seal** of a California-Registered Geologist, -Certified Engineering Geologist, or -Registered Civil Engineer. Please include a copy of the well survey report, stamped by the licensed surveyor.

The Alameda County Department of Environmental Health, Division of Hazardous Materials charges for the review and oversight of site remediation work on a "deposit/refund" basis. This includes activities such as meetings, phone calls, report reviews, writing letters. The "deposit/refund" arrangement is authorized by Section 3-140.5 of the Alameda County Code.

As of 7/1/96, our hourly rate is \$94.00. We request a deposit of \$1,410.00 for 15 hours of oversight time, asap. Many hours have already spent in the research needed to write this letter. Any unused deposit will be refunded to the payor at the completion of our work, we keep a detailed accounting of all our charges, to the nearest tenth of an hour, or every six minutes. Please contact Candyce Kelly of our Billing Dept. At 567-6858 regarding any billing questions you may have. Please make your check payable to Environmental Health Services and remit to the address listed above.

I believe our mutual goal is the final closure of this case, at which point a supplemental closure letter will be issued from this office. If you have any questions, please contact me at 510-567-6700, ext 6761; our fax number is 510-337-9335.

Sincerely,

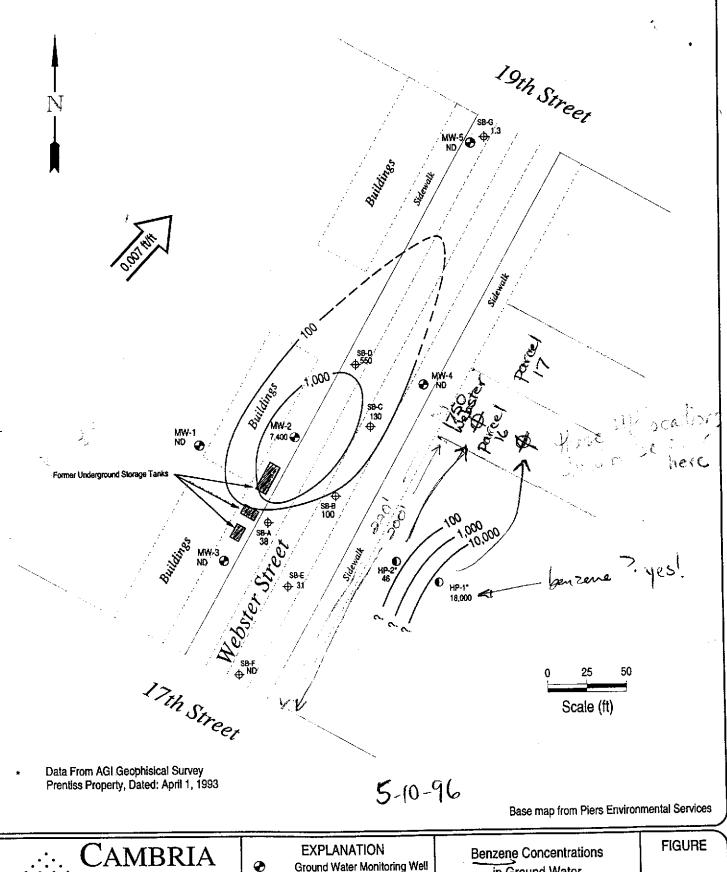
Jennifer Eberle

Hazardous Materials Specialist

CC:

Jennifer Eherle/file

je.4617 enclosure





vironmental Technology, Inc.

Ground Water Monitoring Well



**Boring Location** 



- x.xx Benzene Concentration Contour (ppb)

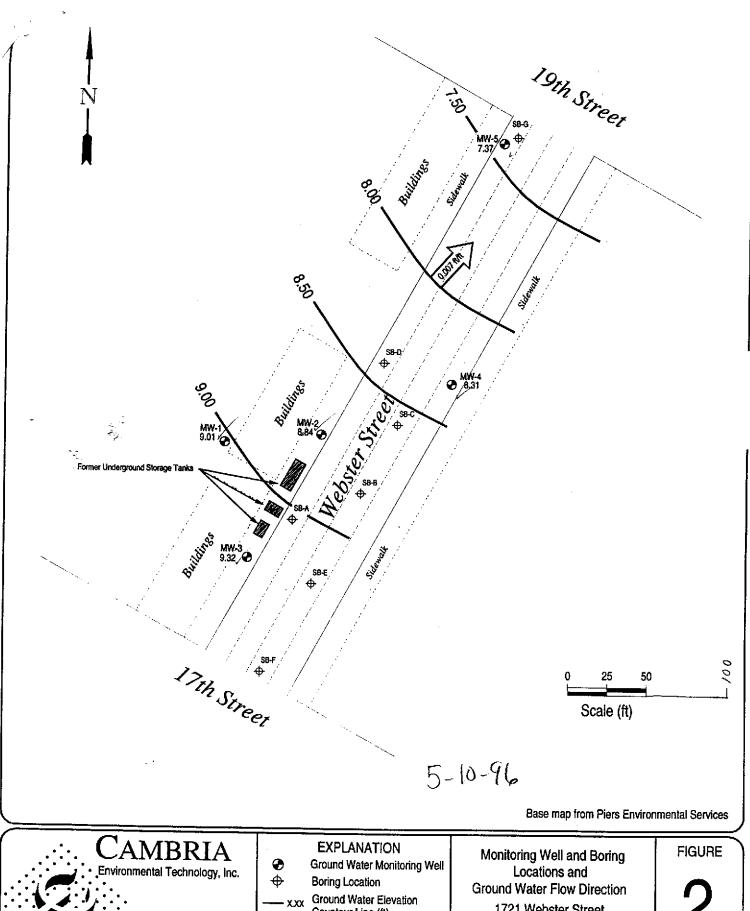


**Ground Water Flow Direction** and Gradient (ft/ft)

Benzene Concentrations in Ground Water

1721 Webster Street Oakland, California

D: PROJECT/MISC/DOUGLAS/BENZ.DWG





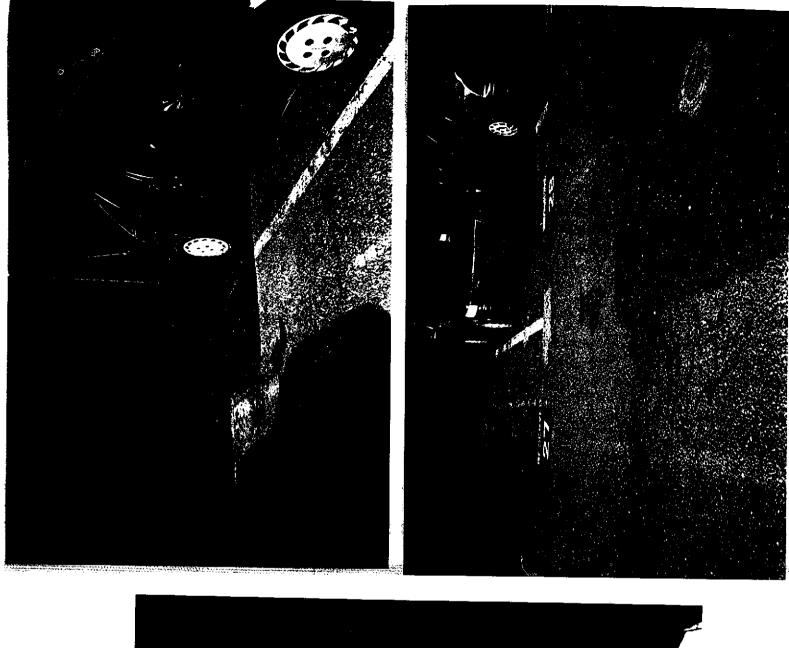
Countour Line (ft)

40074

**Ground Water Flow Direction** and Gradient (ft/ft)

1721 Webster Street Oakland, California

D:PROJECTMISCIDOUGLASIGW-ELEV.DWG







-4:10 pm left voicemail 6/18/96

June 3, 1996

Ms. Juliet Blake Alameda County Environmental Health Services 1131 Harbor Bay Parkway Alameda, CA 94502

17th-19th and Webster/Harrison Streets, Oakland NRF RE:

Dear Juliet:

This is to request the ability to inspect your public file regarding the three-parcel property in Oakland, presently controlled by Prentiss Properties. Two parcels are located on the east side of Webster between 17th and 19th Streets and the third is contiguous to the east and is located at the southwest corner of 19th and Harrison Streets. The properties are presently utilized as parking lots and have been the subject of previous environmental studies. 1721 Websh

Please advise when I may visit your offices.

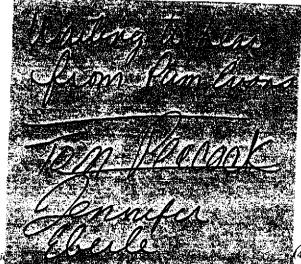
Sincerely.

Willen 18 Willson

#4617 in a/4020 Off 1750 Webster St. Oakland CA 94612

William H. Wilson Senior Consultant

WHW/rc



hre blake to

TRI Commercial Real Estate Ser

415) 956-1700 • AX (415) 392-8867



DAVID J. KEARS, Agency Director RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH
State Water Resources Control Board
Division of Clean Water Programs
UST Local Oversight Program
80 Swan Way, Rm 200
Oakland, CA 94621
(510) 271-4530

September 17, 1993 STID 4617

Applied Geosciences Inc. ATTN: Lani Lee or Don Branchford 1641 N. 1st St., Suite 235 San Jose, CA 95112

RE: 1750 Webster St., Oakland, CA 94612

Dear Lani Lee or Don Branchford:

This office has received and reviewed the following documents pertaining to the above site:

- 1. Transmittal and request from your office dated August 19, 1993.  $Q_{\mathcal{O}}$
- 2. Environmental Assessment by Terracorp Properties Inc. dated 6 January 1993.
- 3. Geophysical Surveys by your office dated 1 April 1993 and 1 June 1993.

This office concurs with the conclusions at the end of the most recent report. This office has been requesting a soil and groundwater investigation from the site apparently upgradient from the above site. To date this work has not been done. This work will need to be done to confirm an upgradient source of contamination.

Further investigation or remediation of your site will not be required at this time. This office has consulted with Rich Hiett of the Regional Water Quality Control Board (RWQCB) and they have concurred with this conclusion. The RWQCB has not been involved in this case to date nor will they be involved as the information currently stands. He would be source on your site or additional contains at incoming the contains of the contains at incoming the contains at incoming the contains at incoming the contains and the contains at incoming the c

If you have any questions or comments, please contact this office at (510) 271-4530.

Applied Geosciences September 17, 1993 STID 4617 Page 2 of 2

Sincerely,

Thomas Peacock, Supervising HMS Hazardous Material Division

CC: Bill Shubin, Prentiss Properties Limited, Inc., 4675
MacArthur Ct., Suite 320, Newport Beach, CA 92660
Edgar Howell, Chief - files







RAFAT A. SHAHID. ASST. AGENCY DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH
State Water Resources Control Board
Division of Clean Water Programs
UST Local Oversight Program
80 Swan Way, Rm 200
Oakland, CA 94621
(510) 271-4530

August 26, 1993 STID 4617

Applied Geosciences Inc. ATTN: Lani Lee 1641 N. 1st St., Suite 235 San Jose, CA 95112

RE: 1750 Webster St., Oakland, CA 94612

Dear Lani Lee:

This office has received and reviewed a the following documents pertaining to the above site:

 Transmittal and request from your office dated August 19, 1993.

2. Environmental Assessment by Terracorp Properties Inc. dated 6 January 1993.

3. Geophysical Surveys by your office dated 1 April 1993 and 1 June 1993. And Action

This office concurs with the conclusions at the end of the most recent report. This office has been requesting a soil and groundwater investigation from the site apparently upgradient from the above site. To date this work has not been done. This work will need to be done to confirm an upgradient source of contamination. It is further recommended that 1 to three monitoring wells be installed at the above site so that quarterly groundwater monitoring may be done. Your recommendation for legal advice does not change the fact that you have only a few samples in a brief time frame. Monitoring wells would be the appropriate way to document the extent and continuing nature of a problem, which may well have come from off-site.

If you have any questions or comments, please contact this office at (510) 271-4530.

Sincerely,

Thomas Peacock, Supervising HMS

Hazardous Material Division

CC: Bill Shubin, Prentiss Properties Limited, Inc., 4675 MacArthur Ct., Suite 320, Newport Beach, CA 92660 Edgar Howell, Chief - files



1641 North First Street Suite 235 San Jose, CA 95112

TEL: 408/452-0262 FAX: 408/452-0265

19 August 1993 A932558A

Alameda County Health Agency Division of Hazardous Materials Department of Environmental Health 80 Swan Way, Room 200 Oakland, California 94621

Attention:

Mr. Edgar B. Howell, III

SUBJECT:

TRANSMITTAL OF DOCUMENTS AND REQUEST FOR SITE REVIEW

Dear Mr. Howell:

Thank you for taking the time to meet with Mr. Pat Martin and myself on 11 August 1993. As per our meeting please find enclosed copies of the reports presenting the work conducted at 1750 Webster Street in Oakland, California (site). The site is referred to as Parcel 3 in two of the reports which also include adjoining parcels. Applied Geosciences Inc. has received permission from Prentiss Properties Limited, Inc., and Terracorp Properties Inc. to release these reports to your agency. Also please find attached a summary of the data contained within the reports.

On the behalf of the owner of the site, Prentiss Properties Limited, Inc., Applied Geosciences Inc. is requesting that the Alameda County Health Agency review the enclosed documents. Petroleum hydrocarbon constituents were detected in soil and groundwater samples collected at the site. Based on the data presented in the enclosed reports, it is the judgment of Applied Geosciences Inc. that there is a low likelihood that the site is a source of the petroleum hydrocarbons reported in the groundwater. Prentiss Properties Limited, Inc., would like written concurrence from the Alameda County Health Agency that based on the current and historical data the site is not a source of the petroleum hydrocarbons.

It is our understanding that the review can be conducted within 30 days of receipt of the documents, and that the review time will be billed at a rate of \$76 per hour. Attached please find a check for \$500 as a deposit against the charges to be incurred. It is also our understanding that funds not expended will be refunded to Prentiss Properties Limited, Inc.

Thank you in advance for your assistance. Should you have questions regarding this request or the attached materials, please feel free to contact Mr. Don Bransford or myself at (408) 452-0262.

Very truly yours,

APPLIED GEOSCIENCES INC.

Lani Lee

Senior Staff Geologist

Mr. Pat Martin, Prentiss Properties Limited, Inc. cc:

Attachments: Deposit Check for \$500

Data Summary

Environmental Assessment for Three Parcels Located in Oakland, California Enclosures:

Results of a Geophysical Survey and Groundwater Investigation Letter Report:

at Three Parcels Located on the Block Bounded by 19<sup>TH</sup> Street, 4-1-93

Harrison Street, 17<sup>TH</sup> Street, and Webster Street, Oakland,

California

Results of Geophysical Survey and Subsurface Investigation at Letter Report:

a Parcel Located on the East Side of Webster Street Between

6-1-93 19<sup>TH</sup> Street and 17<sup>TH</sup> Street, Oakland, California

# 1750 WEBSTER STREET OAKLAND, CALIFORNIA

# Site History

- Based on review of aerial photographs, Sanborn Maps, and business directories, the site has been developed as follows

Since at least:

1899 - 1936

Occupied by Residence

1947 - present

Occupied by Parking Lot

- Oakland Building Department no information
- Oakland Fire Department no information, no permits for USTs

# Site and Immediate Site Vicinity Data

- Depth to shallow groundwater approximately 19 feet BGS
- Based on topography and location of Lake Merritt, groundwater is interpreted to flow approximately to the east
- Groundwater is reported to flow to the east at the Chevron station (No. 39) south of the site

#### **Potential Off-site Source Data**

- 1721 Webster Street (100 - 200 feet west of site)

3 USTs removed in 1992 from sidewalk along Webster Street Soil samples from beneath UST - up to 1,500 mg/kg TPHg No groundwater or further soil investigation conducted or data not available

# Site Subsurface Investigation Data

april 93

- Hydropunch Survey - assess on-site migration of gasoline from 1721 Webster Street

Collected 2 groundwater samples from hydropunch between approximately 20 to 24 feet

HP1 - 200,000  $\mu$ g/L TPHg 18,000  $\mu$ g/L benzene

HP2 - 42,000  $\mu$ g/L TPHg 46  $\mu$ g/L benzene

- Soil Investigation - to assess potential of on-site source

No large anomalies detected during utility locating using metal detector

Drilled 4 borings to 20 feet

- Rationale for boring locations

SB1 - near HP1, highest concentrations in groundwater

SB2 - in rectangular asphalt patch, suspected tank area

No fill encountered in boring, tank excavation unlikely

SB3 - laterally away from these features

SB4 - laterally away from these features

- Analytical data for soil samples collected from approximately 10 and 20 feet BGS

Total xylenes only constituent reported to be detected

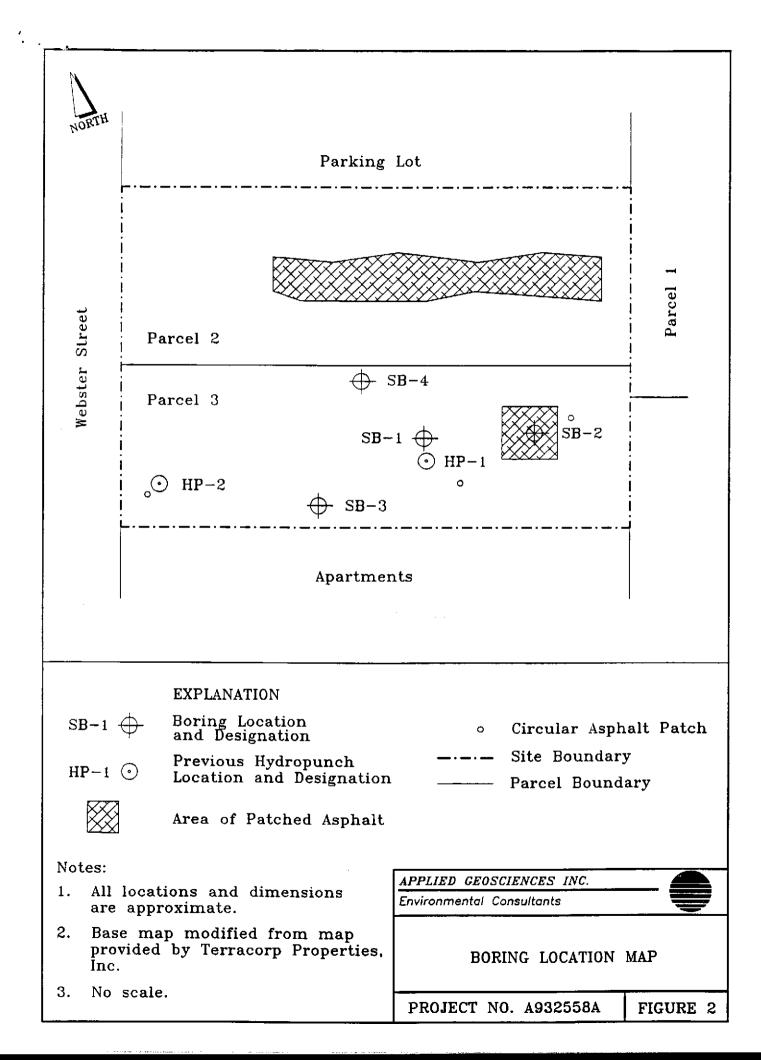
SB3 at 20' - 0.057 mg/kg

SB4 at 10' - 0.020 mg/kg

20' - 0.022 mg/kg

### **Conclusions**

- Historical site usage not indicative of a potential on-site source of TPH
- Elevated concentrations in groundwater on-site, however, soil concentrations very low even in area of highest groundwater concentrations. Unlikely there is a on-site source of TPH
- Groundwater gradient to the east
- Potential source of TPH 100 feet west of and in the interpreted upgradient direction from the site; 1721 Webster Street, which is an active ACHCSA UST site



### ALAMEDA COUNTY HAZARDOUS MATERIALS DIVISION

08/19/96

UNDERGROUND STORAGE TANK CLEANUP SITE

AGENCY#: 10000 SOURCE OF FORDS. 1
StID: 3878 SUBSTANCE: 8006619 -Gasoline
SITE NAME: BP Oil Facitilty #11132 DATE REPORTED: 04/15/86
DATE CONFIRMED: 04/15/86
MILLTIPLE RP'S: Y

CITY/ZIP : Oakland, CA 94619

CASE TYPE: S CONTRACT STATUS: 4 PRIOR: 2B3 EMERGENCY RESPONSE:

RP SEARCH : S DATE END: 11/04/92

PRELIM ASSESSMENT: DATE BEGIN:
REMEDIAL INVESTIG: DATE BEGIN:
REMEDIAL ACTION: DATE BEGIN:
POST REMED MONITOR: DATE BEGIN: DATE END: DATE END: DATE END: DATE END:

TYPE ENFORCEMENT ACTION TAKEN: 6 DATE OF ENFORC. ACTION: 07/01/94

UNDERGROUND STORAGE TANK CLEANUP SITE - SCREEN #2

LUFT FIELD MANUAL CONSIDERATION: HSCAWG CASE CLOSED: on:

DT EXC START: 03/01/87 REMEDIAL ACTIONS TAKEN: ED FP

RP COST: RP #1: CONTACT: Scott Hooton RP COMPANY NAME: BP Oil Co. Ph:

ADDRESS: 295 SW - 41st St., Ste N

CITY/STATE: Renton WA 98055

∆MaMENT:

1995

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# TRANSMITTED BY FACSIMILE & REGULAR MAIL

April 1, 1998

Proposal No. S98-0220R

Mr. Charles A. Sumner II Prentiss Properties Limited, Inc. 2485 Natomas Park Dr., Suite 350 Sacramento, CA 95833

Revised Proposal And Cost Estimate

Well Installation and Quarterly Groundwater Monitoring

1750 Webster Street

Oakland, California

Dear Mr. Sumner:

ATC Associates Inc (ATC) is pleased to provide Prentiss Properties Limited, Inc. with this revised proposal and cost estimate to install groundwater monitoring wells and perform one year of quarterly groundwater monitoring at the Prentiss Properties Site located at 1750 Webster Street in Oakland, California. The proposed work includes preparation of a Work Plan for submittal to the Alameda County Health Care Services Agency (ACHCSA), installation of three groundwater monitoring wells, disposal of soil cuttings generated during site investigation, monitoring and sampling of the three groundwater monitoring wells for a period of one year, and surveying of the wells. A detailed description of the work and anticipated costs follows.

# TASK 1: Work Plan Preparation

A Work Plan to install three groundwater monitoring wells will be prepared for submittal to the ACHCSA. The Work Plan will describe the planned field investigation, including the proposed well locations. The Work Plan will also include drilling methods, equipment decontamination procedures, sampling methods, laboratory analyses, report preparation, and the work schedule. The Work Plan will be in the form of a letter to the ACHCSA, and will not include a Health and Safety Plan. We assume that no revisions to the Work Plan will be required. The cost for Task 1, Work Plan Preparation is estimated at \$\frac{1}{2}\$ If required, a meeting with the ACHCSA will be scheduled to discuss the Work Plan, however, the cost for such a meeting is not included in the estimated cost.

#### TASK 2: Well Installation

In order to determine the groundwater gradient at the site, and to perform regular groundwater monitoring, three groundwater monitoring wells will be installed at the site. After the Work Plan has received approval from the ACHCSA, permits will be obtained from the Alameda County Public Works Agency (ACPWA). Three borings will be advanced with a hollow stem auger drill rig to a depth of approximately 30 feet below ground surface (bgs). Samples will be collected at five foot intervals for lithologic logging. Two soil samples will be selected from each boring for The soil samples collected will be analyzed for total petroleum laboratory analysis. hydrocarbons as gasoline (TPH-G) by Environmental Protection Agency (EPA) Method 8015M, and for benzene, toluene, ethylbenzene, xylenes (BTEX), and methyl tert-butyl ether (MTBE) by EPA Method 8020. The soil cuttings generated during the drilling will be drummed and left on site pending disposal. The wells will be constructed of 2-inch diameter schedule 40 PVC with approximately 15 feet of slotted casing for well screen. The wells will be completed with flush mounted traffic-rated well boxes, and locking well caps. LUFT guidelines for well installation will be followed. After the wells have been constructed and the grout has cured, the wells will be developed. The cost for Task 2, Well Installation is estimated at \$"

# TASK 3: Waste Disposal

Soil cuttings and decontamination water generated during the well installation, and from the subsurface investigation activities performed by ATC in February 1998, will be disposed of following receipt of the laboratory analytical results. The cuttings and decontamination water will be transported for disposal or recycling by a licensed hazardous waste hauler. We assume that a maximum of ten drums of soil and/or water from the subsurface investigation activities will require disposal. The cost for Task 3, Waste Disposal is estimated at \$\frac{1}{2}\$

### TASK 4: Well Installation Report Preparation

A report on the well installation will include: assessment procedures, a well location map, soil boring logs, a summary of analytical results, laboratory data sheets and chain of custody documentation, evaluation of the data collected, and conclusions. We assume that no revisions of the Well Installation Report will be required. The cost for Task 4, Well Installation Report Preparation is estimated at \$.

# TASK 5: Quarterly Monitoring

ATC will perform quarterly monitoring, sampling, and reporting for the three groundwater monitoring wells at the site for a period of one year (four sampling events) beginning with the second quarter of 1998. The monitoring reports will meet the requirements of the local oversight agency, the ACHCSA, and will include tabulated results of all sample analyses and monitoring, along with a groundwater gradient map. The results of the first round of quarterly monitoring will be included in the Well Installation Report. Groundwater samples from the site will be analyzed for TPH-G, by EPA Method 8015M, and BTEX, and MTBE by EPA Method 8020, and

for HVOCs by EPA Method 8010. No trip blanks or duplicate samples will be analyzed. Disposal of purge water generated during the sampling events will be performed by a licensed hazardous waste hauler. The cost for Task 5, Quarterly Monitoring is estimated at \$

# TASK 6: Well Surveying

The site wells must be surveyed in order to accurately determine the groundwater gradient at the site. The wells will be surveyed by a professional licensed surveyor. The well head elevations will be measured to within one hundredth of a foot, relative to mean sea level, and tied into a United States Geological Survey (USGS) benchmark. The cost for Task 6, Well Surveying is estimated at \$\frac{1}{2}\$

Attached are ATC's standard Terms and Conditions, and a Cost Estimate. The total cost for the work described in this proposal is \$. The work will be performed on a time-and-materials basis, based on ATC's Terms and Conditions and rate schedule, therefore, you will only be invoiced for the work effort expended for this project.

Please review attached Terms and Conditions, and sign the Proposal Acceptance and Agreement if it meets with your approval, and send the original to:

Mr. James A. Lehrman, R.G. ATC Associates Inc. 6666 Owens Drive Pleasanton, California 94588

If you have any questions concerning this request, please call me or Jack McCubbin at (510) 460-5300.

Very truly yours,

James A. Lehrman, R.G.

Sr. Project Manager

JAL/lar

Attachments

cc: Jack McCubbin, ATC Associates Inc.

#### TERMS AND CONDITIONS

PAYMENT - Client will pay ATC Associates for services and expenses in accordance with the Contract Documents. Unless otherwise expressly agreed, prices quoted are based upon ATC's working one eight hour shift per day and overtime work will be billed at the quoted overtime rate or if none is quoted, at ATC's standard overtime rate for the area for the service type performed. Unless otherwise provided, sales or other taxes are not included in the prices for services and will be added to payments due ATC. ATC Associates will submit progress invoices to Client monthly together with any reasonable supporting documentation requested by Client and a final invoice upon completion of its services. Each invoice, on presentation, is due and payable by Client. Invoices are past due after 30 days. Past due amounts are subject to a charge on the outstanding balance of the lesser of one and one-half percent per month or part thereof (18 percent per annum) or the maximum permissible by law, Client agrees to pay ATC's attorney's fees, interest, and all other costs incurred in collecting past due amounts. Unless otherwise agreed, the Services shall include, and ATC Associates shall be paid in full at the contract rates for, any additional services performed at Client's request in excess of those stated in this Agreement. The Client's obligation to pay for the Services is in no way dependent upon the Client's ability to obtain financing, payment from third parties, approval of governmental or regulatory agencies, or upon the Client's successful completion of a project. The Client shall remain obligated to pay ATC for the services even though the test results or report produced by ATC may contain conclusions unfavorable to the Client's interests.

STANDARD OF CARE, WARRANTY DISCLAIMER AND LIABILITY LIMITS - ATC Associates represents that it will perform Services, as defined and limited by the scope of services in this agreement, for Client using that degree of care and skill ordinarily exercised by persons performing similar services under similar conditions in the same locality as the site(s). ATC's liability for services, if any, shall be limited to remedies for breach of contract in favor of only those persons with whom ATC has a direct contractual obligation to perform services.

ATC ASSOCIATES IS NOT LIABLE, FOR ALLEGED DEFECTS IN SERVICES PERFORMED, TO THIRD PARTIES OR ANYONE WITH WHOM IT DOES NOT HAVE A DIRECT CONTRACTUAL RELATIONSHIP. ATC ASSOCIATES IS NOT LIABLE FOR SPECIAL, INDIRECT, INCIDENTAL OR CONSEQUENTIAL LOSS OR DAMAGES. ATC SHALL NOT BE LIABLE FOR DEFECTS OR DEFICIENCIES IN TANKS, PIPING OR OTHER GOODS OR IN THEIR INSTALLATION. ATC IS NOT LIABLE FOR DEFECTS IN INFORMATION PROVIDED BY SECONDARY SOURCES (e.g. government agencies, Associates data bases, etc.). ATC ASSOCIATES'S LIABILITY SHALL NOT UNDER ANY CIRCUMSTANCES EXCEED THE GREATER OF ITS FEE FOR THE SERVICES OR THE ACTUAL PROCEEDS OF INSURANCE WHICH IT RECEIVES ON THE CLAIM (INCLUDING THE DEDUCTIBLE PORTION).

The client acknowledges that ATC Associates has neither created nor contributed to the creation or existence of any hazardous, radioactive, toxic, irritant, pollutant, or otherwise dangerous substances or conditions at the site, and ATC Associates' compensation hereunder is not commensurate with the potential risk of injury or loss that may be caused by exposure to, contamination by, or the presence of such substances or conditions. Accordingly, the client waives any claim against ATC Associates, its agents, and employees to the extent allowed by law for injury or loss sustained by any party, including the United States, from such exposures or from the presence of any such substance or condition at a site, alleged to arise out of ATC Associates' performance of services hereunder.

ATC Associates is solely responsible for the performance of this Agreement, and no parent, subsidiary or affiliated company, or any of its directors, officers, employees, or agents shall have any legal responsibility hereunder, whether in contract or tort, including negligence.

LIMITATIONS OF METHOD RELIABILITY - The Client recognizes and agrees that all testing and remediation methods have reliability limitations, that no method nor number of sampling locations can guarantee that a hazard will be discovered if contamination or other evidence of the hazard is not encountered within the performance of the Services as authorized and that conclusions must of necessity be extrapolated from limited information and discrete, non-continuous data points. The Client further acknowledges and agrees that reliability of testing or remediation varies according to the sampling frequency and other service variables selected by the Client and that factors other than reliability, including cost, have been considered in the Client's selection of services. Certain methods (e.g. non-testing assessments/audits, soil gas analysis, limited-sampling asbestos surveys, XRF lead testing, asbestos encapsulation) although having inherent reliability limitations, are nevertheless selected for certain applications because of the relative level of reliability achieved at minimal cost. Client agrees that he has knowledgeably accepted these limitations and the risks attendant thereon and that ATC's services shall be considered non-conforming or deficient only to the extent that the services selected by the Client are not performed with reasonable competence in accordance with the scope of services.

DOCUMENTS - Unless rights are otherwise expressly reserved (as in the case of copyrighted documents, forms or software) all documents, including reports, drawings, plans, designs and specifications prepared by ATC Associates or its subcontractors shall, upon receipt of final payment for services hereunder, become the property of Client, subject however to ATC Associates' reservation of its rights as creator to any proprietary information employed in producing the documents or supporting data, including the basic form of the documents, which among other things ATC may freely use and retain copies of for its records. Upon delivery of the documents to Client, however, ATC shall have no further obligation to retain the documents. Client agrees: that these documents are not intended or represented by ATC to be suitable for use by or relied upon by anyone but the Client or for uses beyond the scope of the specific uses or purposes set forth in, or contemplated by, the Contract Documents without ATC Associates' written permission, adaptation, verification or certification; and that ATC's fees do not reflect the expanded scope of risk presented by unintended or third party use of or reliance on the documents. Any such use will be at the Client's or third party's sole risk.

SUBPOENAS - The client is responsible after notification, for payment of time charges and expenses resulting from the required response by ATC Associates to subpoenas issued by any party, involving any legal or administrative proceeding in which ATC Associates Inc. is not named as a party, in connection with work performed under this contract. Charges are based on fee schedules in effect at the time the subpoena is served.

UTILITIES - Client agrees to disclose and locate all utilities serving the Project Site(s) and the presence and accurate location of hidden or obscure objects, including tanks and piping, relative to the services. Client agrees to indemnify and hold harmless ATC Associates from all claims, suits, losses, personal injuries, death and property liability resulting from damage or injury to hidden structures (pipes, tanks, telephone cables, etc.) arising from the performance of ATC Associates' services when the existence of such are not called to our attention or the location not correctly shown on any plans furnished us.

CLAIMS - Client agrees to pay ATC's costs (including attorney's fees) of defending itself against any claims Client, a regulatory agency or a third party makes against ATC related to the services that are not adjudicated to be valid.

ASSIGNMENT - Neither the Client nor ATC Associates may delegate, assign, subwrite or transfer its benefits, rights, duties or interest in this agreement without the written consent of the other party.

# PROPOSAL ACCEPTANCE AND AGREEMENT

This Agreement is made by acceptance below of the Contract Documents including <u>Proposal No.S98-0220R</u> this <u>1st</u> day of <u>APRIL, 1998</u> by and between <u>PRENTISS PROPERTIES LIMITED, INC.</u> ("Client") of (Address) <u>2485 NATOMAS PARK DRIVE, SUITE 350, SACRAMENTO, CA and ATC ASSOCIATES INC.</u> of <u>6666 OWENS DRIVE, PLEASANTON, CA.</u> Client and ATC Associates AGREE as follows:

1.	CONTRACT DOCUMENTS - "Cor CONDITIONS, and any proposals, PROFESSIONAL SERVICES.	free schedules and other documents listed below under						
2.	PROFESSIONAL SERVICES - ATC Associates will provide professional services ("Services") for the Client as indicated in Proposal No. <u>S98-0220R</u> dated the <u>1st</u> day of <u>APRIL</u> , 1998 and othe documents as referenced therein, which are incorporated by reference herein.							
3.	<b>DESIGNATED REPRESENTATIVES - The parties designate the following named individuals as their authorized representatives to provide approvals, directives, and permissions, including changes, and to receive notices or other communications under this agreement at the following addresses:</b>							
ATC A	SSOCIATES INC.	CLIENT: PRENTISS PROPERTIES LIMITED, INC.						
Name: Addres	JACK MCCUBBIN s: 6666 OWENS DRIVE	Name: MR. CHARLES A. SUMNER, II Address: 2485 NATOMAS PARK DR. SUITE 350						
	PLEASANTON, CA 94588	SACRAMENTO, CA 95037						
Phone:	(510) 460-5300							
YOUR CONTI WRITE	RACT DOCUMENTS AND THE TERM	ANCE OF THE PROPOSAL REFERENCED ABOVE, THE MS AND CONDITIONS UNLESS EXPRESSLY MODIFIED IN						
ACCE	PTED BY:							
ATC A	SSOCIATES INC.	CLIENT:						
Ву:		* By:(Officer authorized to execute contracts)						

Date:\_\_\_\_\_

Title:\_\_\_\_\_

<sup>\*</sup>This contract must be signed by an authorized individual of the company or corporation authorized to execute contracts on behalf of client.