

RISK MANAGEMENT PLAN

for
Redevelopment of former Berkeley Farms
Truck Repair Shop and Yard
4575 San Pablo Avenue
Emeryville, CA

Prepared by Geo-Logic
July 29, 1998

INTRODUCTION

This Risk Management Plan (RMP) has been prepared for the redevelopment of the former Berkeley Farms Truck Repair Shop and Yard, located at 4574 San Pablo Avenue in Emeryville, California. The RMP addresses potential site risks related to previous uses of the site, and outlines specific procedures to be implemented to protect workers and other visitors from problems that might arise during and after redevelopment.

SITE BACKGROUND

The subject site formerly contained a Berkeley Farms Truck Repair Shop and Yard. Beginning in December 1997, the location of a former waste oil tank at the northern portion of the site was overexcavated to remove impacted soils. In addition, purging and pumping of impacted groundwater was performed. At the southern portion of the site, the location of former underground service station fuel tanks were overexcavated, also with groundwater pumping. Three monitoring wells have been installed at the site, one each directly downgradient of the two former tank locations, and one upgradient adjacent to San Pablo Avenue near the southeastern corner of the Berkeley Farms shop and office building.

CONSTITUENTS OF CONCERN

Based on the previous history, the primary constituents of concern (COCs) for the subject site are considered to be petroleum hydrocarbons; specifically, Total Petroleum Hydrocarbons (TPH) as Gasoline, TPH as diesel, TPH as Motor Oil, and benzene, toluene, ethylbenzene, and xylenes (BTEX). Since metals were never encountered above regulatory standards, and volatile organic compounds have been nondetectable during Geo-Logic's previous investigations, the risk from these elements and compounds from prior usage at the site is considered to be nil.

SITE CONCENTRATIONS

Under "worst case" conditions, the maximum concentration of petroleum hydrocarbons that could be encountered during redevelopment activities is free phase product. The following are the maximum concentrations of the COCs previously encountered in the residual soils at the site:

COC	MAX. CONCENTRATION-SOIL	DEPTH ENCOUNTERED
TPH as Gasoline	2,800 ppm	7.5'
TPH as Diesel	60 ppm	7.5'
TRPH as Motor Oil	40 ppm	10.5'
Benzene	8 ppm	7.5'
Ethylbenzene	37 ppm	7.5'
Toluene	9 ppm	7.5'
Xylenes	200 ppm	7.5'

The following are the maximum concentrations of the constituents of concern encountered in groundwater at the site:

COC	MAX. CONCENTRATION-GROUND WATER	LOCATION
TPH as Gasoline	34,000 ppb	MW1
TPH as Diesel	105,000 ppb	MW1
TRPH as Motor Oil	80,000 ppb	MW1
Benzene	2,200 ppb	MW1
Ethylbenzene	2,400 ppb	MW1
Toluene	1,600 ppb	MW1
Xylenes	3,500 ppb	MW1

EXPOSURE PATHWAYS

The elements and compounds listed above can enter the body through inhalation, ingestion, absorption, or injection (entering a cut or wound).

EXPOSURE RISK - GENERAL

The subject site is entirely paved with concrete, with the exception of the excavated area on the southern portion of the site, which will consist of approximately 12 feet of compacted, clean, imported fill. It is Geo-Logic's understanding that the redevelopment of the subject site into a fast-food outlet includes a building in the southeastern portion of the site, with the remainder of the lot used as a drive-through lane and parking lot using the existing pavement. Grading is expected to involve only excavations of a few feet at the building footprint. Therefore, the risk of exposure to constituents of concern would be greatest during and following excavation. Exposure risk to the surrounding community and to workers and customers after redevelopment is completed is considered to be nil.

EXPOSURE RISKS AND PROTECTIVE MEASURES

The following discussion outlines the hazards associated with exposure through inhalation, absorption, ingestion, and injection.

Inhalation: As construction will occur in an open-air environment, the risk of respiratory hazards associated with the constituents of concern is considered to be very low. Exposure levels in excess of permissible threshold limit values are not anticipated. These values were not exceeded during the extensive excavations performed at the northern and southern portions of the site. However, in the unlikely event that an unanticipated occurrence of constituents of concern was encountered during construction that appears to have the potential to exceed threshold limit values, air monitoring using a photo-ionization detector should be conducted. Should it be determined that threshold values have been exceeded, mechanical means of dispersing vapors (fans or blowers) should be employed. After completion of construction, as all of any residual impacted soil would be completely capped by concrete, and as there is no sources or outlets for groundwater on or near the site, the risk of

exposure to constituents of concern is considered to be very low or nil.

Absorption: Absorption results from direct contact of solids, liquids, or vapors with the skin. The primary risk is associated with the liquid phase. The concentrations of the constituents of concern are diluted in the groundwater, and the construction excavation is not expected to reach saturated soils. However, to reduce the risks associated with direct contact to skin, workers should wear, at a minimum, chemically resistant gloves and safety eyeglasses, and should use additional protective clothing if conditions warrant, to avoid any unprotected skin exposures to soils or, if encountered, groundwaters at the site.

Ingestion: Ingestion of constituents of concern could potentially happen where construction workers not properly outfitted would contact impacted soils or groundwater and then accidentally ingest compounds while eating or drinking. If the protective measures employed under the discussion of absorption are carried out, the risk associated with ingestion should be nil.

Injection: Injection of constituents of concern could potentially happen where construction workers not properly outfitted would contact impacted soils or groundwater and accidentally inject compounds to exposed cuts or sores. If the protective measures employed under the discussion of absorption are carried out, the risk associated with injection should be nil.

FIRE AND EXPLOSION HAZARDS

It is anticipated that vapor concentrations at the site will many orders of magnitude lower than the lower explosive limit for each constituent, and that therefore the risk of fire or explosion during construction related to the constituents of concern in soil or groundwater is considered to be nil.

GENERAL SAFE WORKING PRACTICES

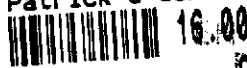
The following are general safe working practices which should be implemented during grading:

1. In any area where the possibility of contamination exists, eating, drinking, chewing gum or tobacco, and smoking should be prohibited.
2. Upon leaving a suspected contaminated area, hands should be thoroughly washed before eating, drinking, or smoking.
3. Any contaminated protective equipment clothing, materials, or debris generated on site should be properly containerized and labelled.
4. Emergency eyewash solutions should be accessible on site.
5. Site workers should be thoroughly briefed on anticipated hazards and safety practices.

**RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:**

Harman Management Corporation
199 First Street, Suite 212
Los Altos, CA 94022
Attn: Karen Bellini

Recorded in Official Records, Alameda County
Patrick O'Connell, Clerk-Recorder



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005 29063289-29 18
A25 4 7.00 9-00/000050.00 12:00 0.00 0.00 0.00

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RISK MANAGEMENT PLAN

For the former Berkeley Farms property at
4575 San Pablo Avenue
Emeryville, CA

Introduction

The above-referenced property ("Site") is located west of San Pablo Avenue between 45th and 47th Streets in Emeryville, California. Berkeley Farms from the early 1980's through mid-1998 used the site as a truck repair and parking facility. A service station was operated by several entities on the southern portion of the property from the early-mid 1960s through 1985. A building on the northern portion of the property has been used for various activities related to automotive repair since at least 1966, when Firestone removed four underground storage tanks (USTs) from the northeast portion of the property. Berkeley Farms has conducted remedial activities, including soil removal and groundwater evacuation at two locations on the property: immediately north of the existing building where a former waste oil storage tank was located; and, near the southern edge of the property where the former service station USTs were located. The Alameda County Department of Environmental Health (ACDEH) issued a July 16, 1998 letter stating that no further excavation of soil associated with the former waste oil tank and former fuel tanks appears to be warranted at the Site. However, groundwater investigation and monitoring must be conducted beneath and downgradient of the Site.

August 1998 groundwater concentrations of various chemical types beneath and adjacent to the former waste oil and fuel tank areas respectively include: diesel (14,000 and 81,000 ug/l); gasoline (<5.0 and 27,000 ug/l); benzene (<0.5 and 2,200 ug/l); toluene (120 and 910 ug/l); ethylbenzene (460 and 1,700 ug/l); and total xylenes (730 and 2,700 ug/l). In order to address ACDEH concerns regarding property sale and redevelopment, this Risk Management Plan (RMP) has been prepared. A legal description of the Property is included with this document.

-INDEX AS A NOTICE-

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Risk Management

- 1- This document should be recorded in the Real Property Records of Alameda and a copy of this RMP should be provided to the City of Emeryville Planning/Building Department for their records.
- 2- Care should be taken to not create a vertical conduit between shallow (<20-25 feet) and deeper (>30 feet deep) groundwater.
- 3- If excess soils are generated during construction activities, a soil management plan governing sampling of those soils to determine disposal or reuse options should be developed and submitted to the ACDEH. If contaminated or potentially contaminated soils are encountered during construction, the soils should be stockpiled separately and tested for disposal options. If it becomes necessary to evacuate any groundwater during construction activities, a groundwater management plan should also be submitted to the ACDEH; the plan should include storage of the groundwater in temporary containers and its analysis for disposal options. A stormwater prevention plan governing how runoff from the site will be controlled during construction activities should also be developed and submitted to the ACDEH.
- 4- Due to the previous detection of gasoline, diesel and BTEX in shallow soils or groundwater, as a precaution, construction workers who may handle soils in this area during construction activities should take appropriate precautions. A health and safety plan should be prepared that requires Level D protection for all workers as per Occupational Health and Safety Administration (OSHA) rules (29CFR 1910.120), as amended. Level D protection should include appropriate gloves, work clothes, boots and hard hat, if required. In addition, dusk masks and watering of soils to minimize dust generation during construction activities will further reduce the potential for ingestion or inhalation of the chemicals of concern. In the unlikely event that groundwater is encountered during construction activities, direct contact with the groundwater should be avoided.
- 5- Any impacted soils not overlain by concrete or asphalt (i.e. landscaped areas) should be covered as part of Site development with a minimum cover of 18 inches of clean topsoil.
- 6- Due to the presence of elevated concentrations of volatile compounds in Site groundwater, a Risk Based Corrective Action (RBCA) Tier 1 or equivalent risk evaluation should be conducted to ensure that concentrations of such compounds in indoor air are below exposure guidelines.
- 7- Notifications in changes in Land Use for this property should be sent to:

**Alameda County Department of Environmental Health
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577**

OWNER:

Harman Management Corporation
A Utah corporation


Karen Bellini
Corporate Secretary

98417537

LEGAL DESCRIPTION EXHIBIT

CITY OF EMERYVILLE

PARCEL ONE:

A PORTION OF LOTS 1, 2 AND 3, IN BLOCK 1, AS SHOWN ON THE MAP OF A PORTION OF THE COGGESHALL TRACT LYING WEST OF SAN PABLO AVENUE, FILED MAY 14, 1883, IN BOOK 4 OF MAPS, PAGE 13, ALAMEDA COUNTY RECORDS, DESCRIBED AS FOLLOWS:

BEGINNING ON THE WEST LINE OF SAN PABLO AVENUE, AT THE SOUTH LINE OF 47TH STREET, AS SHOWN ON SAID MAP; RUNNING THENCE ALONG SAID WEST LINE, SOUTH 14° 39' 50" EAST, 213.70 FEET TO THE NORTH LINE OF THE PARCEL OF LAND DESCRIBED IN THE DEED TO E. A. TAGGART, RECORDED JANUARY 10, 1962, REEL 491, IMAGE 116, OFFICIAL RECORDS, INSTRUMENT NO. AT/4259; THENCE ALONG SAID NORTH LINE, SOUTH 75° 20' 10" WEST, 100 FEET; THENCE NORTH 14° 39' 50" WEST, 213.70 FEET TO SAID LINE OF 47TH STREET; THENCE ALONG THE LAST NAMED LINE NORTH, 75° 20' 10" EAST, 100 FEET TO THE POINT OF BEGINNING.

ASSESSOR'S PARCEL NO. 049-1178-001-01

PARCEL TWO:

A PORTION OF LOTS 3, 4 AND 5, BLOCK 1, MAP OF A PORTION OF THE COGGESHALL TRACT, LYING WEST OF SAN PABLO AVENUE, FILED MAY 14, 1883, MAP BOOK 4, PAGE 13, ALAMEDA COUNTY RECORDS, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERN LINE OF SAN PABLO AVENUE, DISTANT THEREON SOUTH 14° 39' 50" EAST, 213.70 FEET FROM THE POINT OF INTERSECTION THEREOF WITH THE SOUTHERN LINE OF 47TH STREET, AS SAID AVENUE AND STREET ARE SHOWN ON SAID MAP; RUNNING THENCE ALONG SAID LINE OF SAN PABLO AVENUE, SOUTH 14° 39' 50" EAST, 141.30 FEET; THENCE SOUTH 75° 20' 10" WEST, 100.00 FEET; THENCE NORTH 14° 39' 50" WEST, 141.30 FEET; THENCE NORTH 75° 20' 10" EAST, 100.00 FEET TO THE POINT OF BEGINNING.

ASSESSOR'S PARCEL NO. 049-1178-001-02

PARCEL THREE:

PORTION OF BLOCK NUMBERED 1, AS SAID BLOCK IS SHOWN ON THE "MAP OF A PORTION OF THE COGGESHALL TRACT, LYING WEST OF SAN PABLO AVENUE, OAKLAND TOWNSHIP", FILED MAY 14, 1883, IN BOOK 4 OF MAPS, AT PAGE 13, IN THE OFFICE OF THE COUNTY RECORDER OF ALAMEDA COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHWESTERN LINE OF SAN PABLO AVENUE WITH THE NORTHWESTERN LINE OF 45TH STREET, AS SAID AVENUE AND STREET ARE SHOWN ON SAID MAP; AND RUNNING THENCE ALONG SAID LINE OF SAN PABLO AVENUE, NORTH 14° 39' 50" WEST, 125 FEET; THENCE SOUTH 75° 20' 10" WEST, 100 FEET; THENCE SOUTH 14° 39' 50" EAST, 125 FEET TO SAID LINE OF 45TH STREET; AND THENCE ALONG THE LAST NAMED LINE, NORTH 75° 20' 10" EAST, 100 FEET TO THE POINT OF BEGINNING.

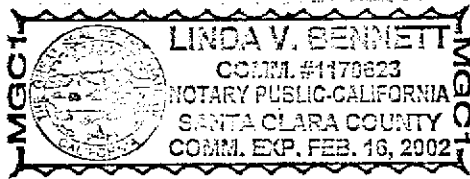
ASSESSOR'S PARCEL NO. 049-1178-002

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

STATE OF CALIFORNIA)
COUNTY OF Santa Clara)

On November 24, 1998, before me, LINDA V. BENNETT, Notary Public, personally appeared
KAREN BELLINI

personally known to me - OR - ~~proved to me on the basis of satisfactory evidence~~ to be the person(s) whose names(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Linda V. Bennett
SIGNATURE OF NOTARY

OPTIONAL

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form.

CAPACITY CLAIMED BY SIGNER

- INDIVIDUAL
 - CORPORATE OFFICER(S)
-
- (TITLE(S))
- PARTNER(S) LIMITED
 - GENERAL
 - ATTORNEY-IN-FACT
 - TRUSTEE(S)
 - GUARDIAN/CONSERVATOR
 - OTHER:

DESCRIPTION OF ATTACHED DOCUMENT
DECLARATION OF RISK MANAGEMENT PLAN

(TITLE OR TYPE OF DOCUMENT)

NUMBER OF PAGES

DATE OF DOCUMENT

SIGNER IS REPRESENTING:
(NAME OF PERSON(S) OR ENTITY(IES))
HARMAN MANAGEMENT CORPORATION

SIGNER(S) OTHER THAN NAMED ABOVE