ALAMEDA COUNTY

HEALTH CARE SERVICES

AGENCY



DAVID J. KEARS, Agency Director

December 16, 1999

Ms. Karen M. Stefonek Madison Park Real Estate Investment Trust 1155 Fifth Street, Suite 101 Oakland, California 94607 ENVIRONMENTAL HEALTH SERVICES ENVIRONMENTAL PROTECTION 1131 Harbor Bay Parkway Alameda, CA 94502-6577

(510) 567-6700 (510) 337-9432

Subject:

Risk Management Plan for the Former Continental Baking Co. 1010 46th Street, Emeryville, California 94608 (STID #6400)

Dear Ms. Stefonek:

This agency issued a "Remedial Action Completion Certification" for the above referenced property on October 29, 1999. However, a risk management plan (RMP) is required prior to any construction activities at the site. The RMP should include at a minimum the following items:

- 1) An acceptable health and safety plan to be followed during any activities involving exposure to soil and groundwater contamination
- 2) If soils and groundwater are generated during construction activities at the site, a soil management plan and groundwater management plan should be developed
- Site mitigating measures to prevent any potential vertical conduits between the shallow and deeper aquifers
- 4) Description of site history, summary of the residual chemicals of concern in soil and groundwater and site development map showing areas to be landscaped, location of buildings, etc.

You will need to submit a deposit of \$1,000.00 payable to Alameda County Environmental Health Services for regulatory oversight on the subject site. At the completion of the project, any unused monies will be refunded to you or your designee. The deposit refund mechanism is authorized in Section 6.92.040L of the Alameda County Ordinance Code. Work on the project will be debited at the ordinance specified rate, currently at \$100 per hour.

If you have any questions concerning this letter or the subject site, please call me at (510) 567-6780, e-mail at shugo@co.alameda.ca.us.

Sincerely,

Susan L. Hugo

Hazardous Materials Specialist

c: Ariu Levi, Chief, Hazardous Materials Programs
 Chuck Headlee, San Francisco Bay RWQCB
 Claudia Cappio / Ignacio Dayrit, City of Emeryville, 2200 Powell St. 12th Fl., Emeryville, CA 94608
 SH / files



MPR _madison park real estate investment trust

"The Live-Work REIT" PROTECTION

99 DEC 13 PH 4: 53

December 8, 1999

STID 6 Pa)

Susan Hugo Hazardous Materials Specialist Alameda County Health Care Services 1131 Harbor Bay Parkway, Suite 250 Alameda, CA 94502-6577

Former Continental Baking Co., 1010 46th Street, Emeryville, CA 94608 RE:

Dear Ms. Hugo:

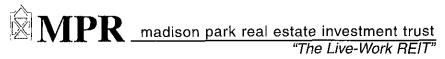
Thank you for forwarding the case closure letter for the above-referenced property to me. I note that as a condition of case closure, we are to file a "risk management plan" with your office. However, we are uncertain of what that entails. As you know I left messages for you on November 8, November 18, and December 6 regarding this query. Though you did try to reach me on November 26, the busy holiday season seems to be taking its toll and we haven't been able to connect as of yet.

We are preparing for selective demolition on the property. Are there any materials you can send me regarding the risk management plan that we need to file? If it's easier to respond via email, please contact me at karen.stefonek@gte.net. Or, please call me at vour earliest convenience.

Sincerely

Karen M. Stefonek

Associate Development Director



20840 closed

September 16, 1999

Susan Hugo Hazardous Materials Specialist Alameda County Health Care Services 1131 Harbor Bay Parkway, Suite 250 Alameda, CA 94502-6577 cuse closed

RE:

Former Continental Baking Co., 1010 46th Street, Emeryville, CA 94608

Dear Ms. Hugo:

It was a pleasure speaking with you this afternoon. In particular, thank you for your reassurance that you will cause the case closure letter to be issued as soon as possible. As we discussed, the lack of a case closure letter has stalled our rehabilitation of the above-referenced property. In fact, it remains the only impediment to construction. We are ready to begin now, and will, in fact, begin as soon as we receive the case closure letter. Each day that we are delayed results in overtime costs and interest expense that we are anxious to minimize. Thus, as I mentioned above, your prompt response is very much appreciated.

I understand that you have received URS Greiner Woodward Clyde's report, and that you expect to draft a recommendation and send it to the review board by the end of the week. It is also my understanding that the report shows that any contamination was well below allowable limits. Therefore, we anticipate a swift response from the board in issuing the case closure letter. You estimated 2-3 weeks, but no later than 4 weeks. Obviously, we will provide you or the board with any assistance you require that would result in a case closure letter within the lesser timeframe.

Please call me with any questions or concerns. Once again, thank you for your prompt response to our concerns.

Sincerely,

Karen M. Stefonek

Associate Director of Development

LOP - CHANGE RECORD REQUEST FORM

printed: 10/28/1999

Mark Out What Needs Changing and Hand to LOP Data Entry (Name/Address changes go to Annual Programs Data Entry)

Insp:

SUBSTANCE: 12034

Case Progress Changes

LOP _____ DATE ____

AGENCY # : 10000 SOURCE OF FUNDS: F StID : 6400 LOC: -0-StID : 6400 LOC: -0SITE NAME: Former Continental Baking Co
ADDRESS : 1010 46th St
CITY/ZIP : Emeryville 94608 MULTIPLE RPS : Y SITE STATUS ______ CASE TYPE: S CONTRACT STATUS: 4 PRIOR CODE: 3B2 EMERGENCY RESP: -0-DATE COMPLETED: 04/28/1999 RP SEARCH: S PRELIMINARY ASMNT: C DATE UNDERWAY: 12/22/0092 DATE COMPLETED: 08/10/0099
REM INVESTIGATION: - DATE UNDERWAY: -0- DATE COMPLETED: -0REMEDIAL ACTION: - DATE UNDERWAY: -0- DATE COMPLETED: -0POST REMED ACT MON: - DATE UNDERWAY: -0- DATE COMPLETED: -0-DATE ENFORCEMENT ACTION TAKEN: 04/29/1999 ENFORCEMENT ACTION TYPE: 1 LUFT FIELD MANUAL CONSID: 2HSCAWG DATE CASE CLOSED: 10/29/1999 CASE CLOSED: Y DATE EXCAVATION STARTED: 12/22/1992 REMEDIAL ACTIONS TAKEN: ED RESPONSIBLE PARTY INFORMATION RP#1-CONTACT NAME: Mr. Larry Brown COMPANY NAME: Interstate Brands Corporation ADDRESS: 1324 Arden Way CITY/STATE: Sacramento, California 95815 RP#2-CONTACT NAME: Mr. John Protopappas COMPANY NAME: Wayne Avenue Partners ADDRESS: 1155 5th Street Suite 101 CITY/STATE: Oakland, California 94607 INSPECTOR VERIFICATION: NAME SUSAN L. HUGO SIGNATURE Juan July DATE 10/29/99

DATA ENTRY INPUT:

Name/Address Changes Only

ANNPGMS

_____LOP____DATE ____

ALAMEDA COUNTY HEALTH CARE SERVICES

AGENCY





ENVIRONMENTAL HEALTH SERVICES

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

May 18, 1999

STID 6400

Interstate Brands Corporation Attn: Mr. Larry Brown 1324 Arden Way Sacramento, CA 95815

RE: Former Continental Baking Co., 1010 46th Street, Emeryville, CA 94608

LANDOWNER NOTIFICATION AND PARTICIPATION REQUIREMENTS

Dear Mr. Brown:

This letter is to inform you of new legislative requirements pertaining to cleanup and closure of sites where an unauthorized release of hazardous substance, including petroleum, has occurred from an underground storage tank (UST). Section 25297.15(a) of Ch. 6.7 of the Health & Safety Code requires the primary or active responsible party to notify all current record owners of fee title to the site of: 1) a site cleanup proposal, 2) a site closure proposal, 3) a local agency intention to make a determination that no further action is required, and 4) a local agency intention to issue a closure letter. Section 25297.15(b) requires the local agency to take all reasonable steps to accommodate responsible landowners' participation in the cleanup or site closure process and to consider their input and recommendations.

For purposes of implementing these sections, you have been identified as the primary or active responsible party. Please provide to this agency, within twenty (20) calendar days of receipt of this notice, a complete mailing list of all current record owners of fee title to the site. You may use the enclosed "list of landowners" form (sample letter 2) as a template to comply with this requirement. If the list of current record owners of fee title to the site changes, you must notify the local agency of the change within 20 calendar days from when you are notified of the change.

If you are the sole landowner, please indicate that on the landowner list form. The following notice requirements do not apply to responsible parties who are the sole landowner for the site.

LANDOWNER NOTIFICATION

Re: 1010 46th Street, Emeryville

May 18, 1999 Page 2 of 2

In accordance with Section 25297.15(a) of Ch. 6.7 of the Health & Safety Code, you must certify to the local agency that all current record owners of fee title to the site have been informed of the proposed action before the local agency may do any of the following:

- 1) consider a cleanup proposal (corrective action plan)
- 2) consider a site closure proposal
- 3) make a determination that no further action is required
- 4) issue a closure letter

You may use the enclosed "notice of proposed action" form (sample letter 3) as a template to comply with this requirement. Before approving a cleanup proposal or site closure proposal, determining that no further action is required, or issuing a closure letter, the local agency will take all reasonable steps necessary to accommodate responsible landowner participation in the cleanup and site closure process and will consider all input and recommendations from any responsible landowner.

Please call me at (510) 567-6780 should you have any questions about the content of this letter.

Sincerely,

Susan Z. Hugo Susan L. Hugo

Hazardous Materials Specialist

Attachments

cc: Chuck Headlee, RWOCB

John Protopappas, Wayne Avenue Partners, 1155 5th St., Suite 101, Oakland, CA 94607

SH / files

SAMPLE LETTER 3: NOTICE OF PROPOSED ACTION SUBMITTED TO LOCAL AGENCY			
Name of local agency Street address City			
SUBJECT: NOTICE OF PROPOSED ACTION SUBMITTED TO LOCAL AGENCY FOR (Site Name and Address)			
In accordance with section 25297,15(a) of Chapter 6.7 of the Health & Safety Code, I, (<u>name of primary responsible party</u>), certify that I have notified all responsible landowners of the enclosed proposed action. Check space for applicable proposed action(s):			
cleanup proposal (corrective action plan)			
site closure proposal			
local agency intention to make a determination that no further action is required			
local agency intention to issue a closure letter			
Sincerely,			
Signature of primary responsible party			
Name of primary responsible party			
cc: Names and addresses of all record fee title owners			

Mark Out What Needs Changing and Hand to LOP Data Entry (Name/Address changes go to Annual Programs Data Entry)

Insp: AGENCY # : 10000 SOURCE OF FUNDS: F SUBSTANCE: 12034 StID : 6400 LOC: SITE NAME: Former Continental Baking Co DATE REPORTED: 03/11/93
ADDRESS: 1010, 46th St DATE CONFIRMED: 03/11/93 MULTIPLE RPs : Y CITY/ZIP : Emeryville 94608 . . . SITE STATUS _____ CASE TYPE: S CONTRACT STATUS: 3 PRIOR CODE: 3B2 EMERGENCY RESP: DATE COMPLETED:
DATE COMPLETED:
DATE COMPLETED:
DATE COMPLETED:
DATE COMPLETED: RP SEARCH: S DATE COMPLETED: 04/28/99 PRELIMINARY ASMNT: C DATE UNDERWAY:
REM INVESTIGATION: DATE UNDERWAY:
REMEDIAL ACTION: DATE UNDERWAY:
POST REMED ACT MON: DATE UNDERWAY: DATE ENFORCEMENT ACTION TAKEN: ENFORCEMENT ACTION TYPE: LUFT FIELD MANUAL CONSID: 2HSCAWG CASE CLOSED: DATE CASE CLOSED: DATE EXCAVATION STARTED : 12/22/92 REMEDIAL ACTIONS TAKEN: ED RESPONSIBLE PARTY INFORMATION _____ RP#1-CONTACT NAME: Mr. Larry Brown COMPANY NAME: Interstate Brands Corporation ADDRESS: 1324 Arden Way CITY/STATE: Sacramento, California 95815 RP# -CONTACT NAME: Mr. John Protopappas COMPANY NAME: Wayne Avenue Partners ADDRESS: 1155 5th Street Suite 101 CITY/STATE: Oakland, California 94607 INSPECTOR VERIFICATION: SIGNATURE _____ DATE ____ NAME DATA ENTRY INPUT: Case Progress Changes Name/Address Changes Only LOP _____DATE ___

ANNPGMS _____ LOP___ DATE ____

Mark Out What Needs Changing and Hand to LOP Data Entry (Name/Address changes go to Annual Programs Data Entry)

Insp:

AGENCY # : 10000 SOURCE OF FUNDS: F StID : 6400 LOC: SUBSTANCE: 12034

DATE REPORTED: 03/11/93 DATE CONFIRMED: 03/11/93 MULTIPLE RPs : Y SITE NAME: Continental Baking Co ADDRESS : 1010 46th St

CITY/ZIP : Emeryville 94608

SITE STATUS _____

CASE TYPE: S CONTRACT STATUS: 3 PRIOR CODE: 3B2 EMERGENCY RESP:

RP SEARCH: S DATE COMPLETED: 04/28/99

PRELIMINARY ASMNT: C DATE UNDERWAY:
REM INVESTIGATION: DATE UNDERWAY:
REMEDIAL ACTION: DATE UNDERWAY:
POST REMED ACT MON: DATE UNDERWAY: DATE COMPLETED: DATE COMPLETED: DATE COMPLETED: DATE COMPLETED:

DATE ENFORCEMENT ACTION TAKEN:
LUFT FIELD MANUAL CONSID: 2HSCAWG
CASE CLOSED: DATE CASE CLOSED:

DATE EXCAVATION STARTED: 12/22/92 REMEDIAL ACTIONS TAKEN: ED

RESPONSIBLE PARTY INFORMATION

RP#1-CONTACT NAME: Mr. Larry Brown

COMPANY NAME: Interstate Brands Corporation

ADDRESS: 1324 Arden Way

CITY/STATE: Sacramento, California 95815

RP# -CONTACT NAME: Mr. John Protopappas COMPANY NAME: Wayne Avenue Partners

ADDRESS: 1155 5th Street Suite 101 CITY/STATE: Oakland, California 94607

INSPECTOR VERIFICATION:					
NAME SIGNATURE	DATE				
DATA ENTRY INPUT: Name/Address Changes Only Case Progress Changes					
ANNPGMS LOP DATE	Case Progress Changes LOP DATE				

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Transfer of Eligible Local Oversight Case

(P.) Ada	Nome Ivess Thone 1	STID LOTOL Date transferred 4/23/99 74				
		STID LOTO Date transferred 4/23/99 H 4 (SIO) 452.2944 From: SUSAN N Hugo Name: Former Continuatal Bakking Co. Sess: 1010 - 46 th St. City: Emery villezip: 94608				
To be eligible for LOP, case must meet 3 qualifications:						
	1 Y 2 Y	N Samples received? Contamination level: ppm Type of test Contamination should be over 100 ppm TPH to qualify for LOP N Petroleum? Circle Type(s): • Avgas •leaded •unleaded •fuel oil •jet • diesel •waste oil •kerosene •solvents				
	Proc	edure to follow should your site meet all the above qualifications:				
	1.	a. MA Close the deposit refund case. b. MA Account for ALL time you have spent on the case. c. If there are funds still remaining it is still better to transfer the case to LOP as the rate for LOP allows more overhead. DO NOT attempt to continue to oversee the site simply because there are funds remaining! Remaining DepRef \$'s:				
	2.	Submit the completed A and B permit application forms to NORMA.				
	3	Give the entire case to the proper LOD staff				

ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY

MEMORANDUM

TO Leslie Poters FROM Susan Hugo DATE HOOKA
TO Jeslie Poters FROM Susan Hugo DATE #20/89 SUBJECT STID 3928 - Continental Baking Co. 1010 - 46th St. Walland 94609
Please Change address to: 945 53nd St. Oakland 94609, but keep the STID # 3928. Interstate Brands.
Attached LOP Transfer for 1010 46 th St. Emeryville 94.
The site has been divided into 2 properties.
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300-CA-1-3/82

了一点,一点,大家的大学的一种最大的现在分词一个大学的大学的人类的人类的人类的人类的人类的人类的人类的人类的人的人类的人。

Transfer of Eligible Local Oversight Case

P. Nome Addressi Phone t	(S10) 452.2944 Charles Onlines 94607 STID Date transferred				
Date: Site N	H20/99 From: SUSAN L. HUGO. Namo: Sen Francisco Herb & Ratural Jea. Co. ess: 1010 - 46 th St. City: Errery ville Zip: 94608				
Addre	ess: 1010 - 46 th St. City: Errory ville Zip: 94606				
To be	To be eligible for LOP, case must meet 3 qualifications:				
1 (Y	N Tanks Removed? # of removed? Date removed:				
2 (y)	N Samples received? Contamination level: ppm Type of test Contamination should be over 100 ppm TPH to qualify for LOP				
3. Y	N Petroleum? Circle Type(s): • Avgas • diesel • waste oil • kerosene • solvents				
Proce	Procedure to follow should your site meet all the above qualifications:				
1,	1. a. MA Close the deposit refund case. b. MA Account for ALL time you have spent on the case. c. MA Turn in account sheet to Leslie. If there are funds still remaining it is still better to transfer the case to LOP as the rate for LOP allows more overhead. DO NOT attempt to continue to oversee the site simply because there are funds remaining!				
	Remaining DepRef \$'s: DepRef Case Closed with Candyce/Leslie? Y N (If no, explain why below.)				
2. Submit the completed A and B permit application forms to NORMA.					
3.					

UNDERGROUND STORAGE TANK UNAUTHORIZED RELEASE (LEAK) / CONTAMINATION SITE REPORT				
EMERGENCY HAS STATE OFFICE OF EMERGENCY SERVICES FOR LOCAL AGENCY USE ONLY REPORT BEEN FILED?				
	YES X NO YES X NO	THEREBY CERTIFY THAT I HAVE DISTRIBUTED THIS INFORMATION ACCORDING TO THE DISTRIBUTION SHOWN ON THE INSTRUCTION SHEET ON THE BACK PAGE OF THIS FORM.		
REPO	RT DATE CASE #	Misun J- Hugo 10/13/93		
Ом	9 L 2 d 4 d 9 d 3 d	SIGNED DATE		
		\rightarrow A200 $ ((f)) ////$		
10 BY	Fred Dannecker 1415 REPRESENTING X OWNER/OPERATOR REGIONAL BOARD	COMPANY OR AGENCY NAME		
REPORTED	LOCAL AGENCY OTHER	Continental Baking Company (CBC)		
HEP.	ADDRESS	containing company (c2c)		
	1525 Bryant STREET San Francisco	CITY CA STATE 94103 ZIP		
J ,	NAME	CONTACT PERSON PHONE		
NSI8	Stre X UNKNOWN	()		
RESPONSIBLE PARTY	ADDRESS			
œ.	STREET STREET	CITY STATE ZIP		
	FACILITY NAME (IF APPLICABLE)	OPERATOR PHONE		
NOF	CBC ADDRESS	CBC		
SITE LOCATION	1010 46th Street STREET Oakland	спу Alameda соилту zip 9460		
SIE S	CROSS STREET	CITY A LATTIEGE COUNTY ZIP 9460		
	Adeline			
S _N	LOCAL AGENCY AGENCY NAME	CONTACT PERSON PHONE		
IMPLEMENTING AGENCIES	Alameda County Health Agency	Susan Hugo (510) 271-4530		
PLEN AGE	REGIONAL BOARD	PHONE		
-	RWQCB, Oakland, CA			
SUBSTANCES INVOLVED	N. T. C.	QUANTITY LOST (GALLONS)		
STAN	Diesel Fuel			
SUB N		UNKNOWN		
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	CHECK ONE ONLY			
CURRENT	NO ACTION TAKEN PRELIMINARY SITE ASSESSMEN	T WORKPLAN SUBMITTED POLLUTION CHARACTERIZATION		
STA	X LEAK BEING CONFIRMED PRELIMINARY SITE ASSESSMEN			
L	REMEDIATION PLAN CASE CLOSED (CLEANUP COMP	LETED OR UNNECESSARY) CLEANUP UNDERWAY		
٠	CHECK APPROPRIATE ACTION(S) (SEE BACK FOR DETAILS) EXCAVATE & DISPOSE (EI)			
REMEDIAL ACTION	CAP SITE (CD) EXCAVATE & TREAT (ET)	PUMP & TREAT GROUNDWATER (GT) REPLACE SUPPLY (RS)		
A AC	CONTAINMENT BARRIER (CB) NO ACTION REQUIRED (N. VACUUM EXTRACT (VE) OTHER (OT)	A) TREATMENT AT HOOKUP (HU) VENT SOIL (VS)		
-	C WINDOWS EXTENDED (412)			
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COMMENTS				
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