

Plunkett, Steven, Env. Health

From: RidgeRat10@aol.com
Sent: Monday, January 14, 2008 1:31 PM
To: Plunkett, Steven, Env. Health
Subject: 50 Hegenberger Loop Oakland

Steven: Did you manage to meet with Donna last Wednesday? If so, how did it go?

Sincerely, Gary Lyons, W.E.L. Partnership.

Start the year off right. [Easy ways to stay in shape in the new year.](#)

Plunkett, Steven, Env. Health

From: RidgeRat10@aol.com
Sent: Tuesday, January 08, 2008 4:00 PM
To: Plunkett, Steven, Env. Health
Cc: cap@chimiles.com
Subject: Our 1/7/08 Telephone conversation @ 50 Hegenberger Loop Closure.

Steven: Just a short line to confirm our phone call of Monday the 7th, where-in you were going to email Donna to find out when she would get the reviewed documents to you. Also, I wondered if you managed to talk to her as you indicated, and if so, what was her reply?

Thank for your continued help on our 50 Hegenberger Loop Closure.
Sincerely: Gary Lyons, W.E.L. Partnership

Have a Happy New Year.

Start the year off right. Easy ways to stay in shape in the new year.

Plunkett, Steven, Env. Health

From: RidgeRat10@aol.com
Sent: Wednesday, December 12, 2007 5:51 PM
To: cap@chimiles.com
Cc: Plunkett, Steven, Env. Health
Subject: Fwd: 50 Hegenberger Loop Closure
Attachments: 50 Hegenberger Loop Closure

I may have not spaced the CC line correctly.
Here it is again.

Gary

See AOL's [top rated recipes](#) and [easy ways to stay in shape for winter](#).

Plunkett, Steven, Env. Health

From: RidgeRat10@aol.com
Sent: Tuesday, October 30, 2007 4:28 PM
To: Plunkett, Steven, Env. Health
Cc: cap@chimiles.com
Subject: Re: 50 Hegenberger Loop Closure

Steven: I left you a voice mail this afternoon @ 4:00 p.m. We have not heard back from you since your 10/4/07 email of 10/4/07 to me letting me know that you were going to review the submission & make a decision regarding the status of the case based on the new information. As I mentioned in this afternoon's voice mail, we have received the written offer to purchase the land & building, but can not execute anything until we get a Closure from your people.

With this in mind, we were wondering if perhaps you were needing any further documents in order to get us this Closure? If so, please let us know, & we will get them to you promptly.

Thanking you Sincerely: Gary W. Lyons, Partner, W.E.L. Partnership

See what's new at AOL.com and [Make AOL Your Homepage.](#)

Plunkett, Steven, Env. Health

From: RidgeRat10@aol.com
Sent: Thursday, October 04, 2007 10:39 AM
To: Plunkett, Steven, Env. Health
Cc: cap@chimiles.com; slovejoyjr@tcg-international.com
Subject: Fwd: 50 Hegenberger Loop Closure
Attachments: Fwd: 50 Hegenberger Loop Closure

Steven: We still have not had a reply from you regarding the enclosed emails, the last of which was sent to you on 9/26/07.

We would greatly appreciate it if you could email us back with an approximate date that you might be able to get started on the review of the last documents sent to you by Woody, of TCG International.

Thank you. Gary W. Lyons, W.E.L. Partnership

See what's new at AOL.com and [Make AOL Your Homepage](#).

Plunkett, Steven, Env. Health

From: RidgeRat10@aol.com
Sent: Thursday, October 04, 2007 3:41 PM
To: Plunkett, Steven, Env. Health
Subject: Re: 50 Hegenberger Loop Closure

Steven: Many thanks for your prompt reply.

Sincerely Gary W. Lyons W.E.L. Partnership

See what's new at AOL.com and [Make AOL Your Homepage](#).

Plunkett, Steven, Env. Health

From: RidgeRat10@aol.com
Sent: Wednesday, September 26, 2007 9:30 AM
To: Plunkett, Steven, Env. Health
Cc: cap@chimiles.com; slovejoyjr@tcg-international.com
Subject: Fwd: 50 Hegenberger Loop Closure
Attachments: 50 Hegenberger Loop Closure

Steven: Forwarding you my last email of September 18th, which I assume you did not receive.

Hope this gets through to you OK.

Thanks in advance for your prompt reply.

Sincerely Gary W. Lyons
W.E.L. Partnership

See what's new at AOL.com and [Make AOL Your Homepage](#).

RO 2447

Plunkett, Steven, Env. Health

From: RidgeRat10@aol.com
Sent: Tuesday, September 18, 2007 10:48 AM
To: Plunkett, Steven, Env. Health
Cc: slovejoyjr@tcg-international.com; cap@chimiles.com
Subject: 50 Hegenberger Loop Closure

Steven: Last week Woody from TCG-International called me and advised me that he had talked with you, and understood that he thought you had all the information now that you needed for the Closure at 50 Hegenberger Loop.

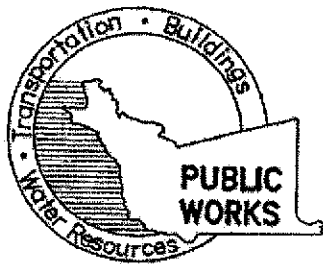
If this is the case, would you be able to give us any idea about when this would occur?

I should be receiving a DRAFT of an offer to purchase this property sometime this week, and pending the closure report, we could finalize the sale.

Thank you very much for any help you can give us, and if there is anything else you might need to finalize this, please let Woody & myself know, and we will try to get it to you promptly.

Sincerely W.E.L. Partnership, Gary W. Lyons, Partner

See what's new at AOL.com and [Make AOL Your Homepage](#).



**COUNTY OF ALAMEDA
 PUBLIC WORKS AGENCY
 WATER RESOURCES SECTION
 399 Elmhurst Street, Hayward, CA 94544-1395
 James Yoo PH: (510) 670-6633 FAX: (510) 782-1939
 FOR GENERAL DRILLING PERMIT INFO:
 www.acgov.org/pwa/wells**

WELL COMPLETION REPORT RELEASE AGREEMENT—AGENCY
 (Government and Regulatory Agencies and their Authorized Agents)

Project No/ Site Address. 50 Hegenberger Loop City Oakland
 Township, Range, and Section _____ Radius 2000 ft
 (Must include entire study area and a map that shows the area of interest.)

Under California Water Code Section 13752, the agency named below requests permission from Department of Water Resources to inspect or copy, or for our authorized agent named below to inspect or copy, Well Completion Reports filed pursuant to Section 13751 to (check one):

- Make a study, or,
- Perform an environmental cleanup study associated with an unauthorized release of a contaminant within a distance of 2 miles. (2000 ft radius is fine)

In accordance with Section 13752, information obtained from these reports shall be kept confidential and shall not be disseminated, published, or made available for inspection by the public without written authorization from the owner(s) of the well(s). The information shall be used only for the purpose of conducting the study. Copies obtained shall be stamped **CONFIDENTIAL** and shall be kept in a restricted file accessible only to agency staff or the authorized agent.

The Consulting Group - Woody Loueja
 Authorized Agent
394 Cecilia Way
 Address
Tiburon CA 94920
 City, State, and Zip Code
[Signature]
 Signature
Principal
 Title

Telephone () 415. 381. 2560
 Fax () 415. 381. 1741
4 May 06
 Date
slovesoyjr@teq-international.com
 E-mail

Alameda County Environmental Health
 Government or Regulatory Agency
1131 Harbor Bay Parkway
 Address
ALAMEDA CA 94502
 City, State, and Zip Code
[Signature]
 Signature
Hazardous Materials Specialist
 Title

Telephone () 510-383 1767
 Fax () 510 381 9335
5/12/06
 Date
Steven.plunkett@acgov.org
 E-mail

DEPARTMENT OF WATER RESOURCES

CENTRAL DISTRICT

3251 S Street
Sacramento, CA 95816
(916) 227-7632
(916) 227-7600(Fax)

NORTHERN DISTRICT

2440 Main Street
Red Bluff, CA 96080
(530) 529-7300
(530) 529-7322 (Fax)

SAN JOAQUIN DISTRICT

3374 E. Shields Ave Ste A7
Fresno, CA 93726
(559) 230-3300
(559) 230-3301 (Fax)

SOUTHERN DISTRICT

770 Fairmont Avenue
Glendale, CA 91203
(818) 500-1645 ext. 233
(818) 543-4604 (Fax)

WELL COMPLETION REPORT RELEASE REQUEST AND CONFIDENTIALITY AGREEMENT REGULATORY-RELATED ENVIRONMENTAL CLEANUP STUDY

Well Completion Reports associated with wells located within two miles of an area affected or potentially affected by a known unauthorized release of a contaminant will be made available upon request to any person performing an environmental cleanup study associated with the unauthorized release, if the study is conducted pursuant to a regulatory agency order (Water Code Section 13752).

Requests must be made on the form below, signed and submitted to the appropriate DWR District Office. Please provide the township, range, and section of the property where the study is to be conducted. Attach a map or a sketch with a north arrow, and provide as much identifying information requested below as possible; additional paper may be attached if necessary.

By signing below, the requester acknowledges and agrees that, in compliance with Section 13752, the information obtained from these reports will be kept confidential and will not be disseminated, published, or made available for inspection by the public. Copies obtained must be stamped **CONFIDENTIAL** and kept in a restricted file accessible only to authorized personnel. These reports must not be used for any purpose other than for the purpose of conducting the environmental cleanup study.

Project Name: W. E. Lyons County: Alameda

Street Address: 50 Hegenburger Loop City: Oakland

Township, Range, and Section: _____ Radius: 2000 ft
(Include entire study area and a map that shows the area of interest.) (maximum 2 miles)

The Consulting Group
Requester's Company

Alameda County Environmental Health
Regulatory Agency Name

Woody Lovejoy
Requester's Name (please print)

Steven Plunkett
Agency Contact Name (please print)

394 Cecilia Way
Address

1131 Harbor Bay Parkway
Address

Tiburon CA 94920
City, State, and Zip Code

Alameda CA 94502
City, State, and Zip Code

Signature: [Signature]

Signature: [Signature]

Title: Principal

Title: Haz Mat Spec

Telephone: (415) 381.2560

Telephone: (510) 383 1761

FAX: (415) 381.1741

FAX: (510) 337 9335

Date: 4 May 06

Date: 5/12/06

E-mail: SLOVEJOYJR@ecg-international.com

E-mail: Steven.plunkett@acgov.org

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



No 2447

RO0002447

October 31, 2005

Mr. Gary Lyons
50 Hegenberger Loop
Oakland, CA 94621

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

Re: Fuel Case RO0002447, Underground Tank Closure at 50 Hegenberger Loop, Oakland 94621

Dear Mr. Lyons:

Alameda County Environmental Health has reviewed the files regarding the above referenced site. We have received and reviewed the workplan dated August 10th, 2005 by Jeanine C. Lovejoy of The Consulting Group. The workplan proposes to install three borings at the above referenced site. This office concurs with the proposed workplan in general. However, we request that you address the following technical comments and submit the technical report requested below.

TECHNICAL COMMENTS

- **Soil Borings-** Please ensure that your borings are installed to the depth of 25 feet, rather than what has been proposed in the workplan.
- **Cross Sections-** Please provide detail geological cross section per our discussion.
- **Summary Tables-** Please provide separate cumulative data tables that include soil and groundwater analytical results for all compounds that were analyzed at this site. For clarity please tabulate your cumulative soil and groundwater data per monitoring point then sorted by date. Include these tables in the report requested below.
- **Site map, ESL-** Please provide a scaled site map with all samples and their historical and current concentrations of the constituents. The concentrations should be compared with relevant ESL numbers.

TECHNICAL REPORT REQUEST

Please submit the following technical reports to Alameda County Department of Environmental Health (Attention: Amir K. Gholami):

December 31, 2005 workplan result

ELECTRONIC SUBMITTAL OF REPORTS

ACEH's Environmental Cleanup Oversight Programs (LOP and SLIC) now request submission of reports in electronic form. The electronic copy is intended to replace the need for a paper copy and is expected to be used for all public information requests, regulatory review, and compliance/enforcement activities. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program FTP site are provided on the attached "Electronic Report Upload Instructions." Submission of reports to the Alameda County FTP site is an addition to existing requirements for electronic submittal of information to the State Water Resources Control Board (SWRCB) Geotracker website. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for groundwater cleanup programs. For several years, responsible parties for cleanup of leaks from underground storage tanks (USTs) have been required to submit groundwater analytical data, surveyed locations of monitoring wells, and other data to the Geotracker database over the Internet. Beginning July 1, 2005, electronic submittal of a complete copy of all reports is required in Geotracker (in PDF format). Please visit the State Water Resources Control Board for more information on these requirements (http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting).

PERJURY STATEMENT

All work plans, technical reports, or technical documents submitted to ACEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I declare, under penalty of perjury, that the information and/or recommendations contained in the attached document or report is true and correct to the best of my knowledge." This letter must be signed by an officer or legally authorized representative of your company. Please include a cover letter satisfying these requirements with all future reports and technical documents submitted for this fuel leak case.

PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

The California Business and Professions Code (Sections 6735, 6835, and 7835.1) requires that work plans and technical or implementation reports containing geologic or engineering evaluations and/or judgments be performed under the direction of an appropriately registered or certified professional. For your submittal to be considered a valid technical report, you are to present site specific data, data interpretations, and recommendations prepared by an

appropriately licensed professional and include the professional registration stamp, signature, and statement of professional certification. Please ensure all that all technical reports submitted for this fuel leak case meet this requirement.

UNDERGROUND STORAGE TANK CLEANUP FUND

Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

AGENCY OVERSIGHT

If it appears as though significant delays are occurring or reports are not submitted as requested, we will consider referring your case to the Regional Board or other appropriate agency, including the County District Attorney, for possible enforcement actions. California Health and Safety Code, Section 25299.76 authorizes enforcement including administrative action or monetary penalties of up to \$10,000 per day for each day of violation.

If you have any questions, please call me at 510-567-6876.

Sincerely,



Amir K. Gholami, REHS
Hazardous Materials Specialist

C: Mr. Jeanine C. Lovejoy of The Consulting Group, 394 Cecilia Way, Tiburon,
CA 94920
D.Drogos, A.Gholami

Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)
Electronic Report Upload (ftp) Instructions

The Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC) now request submission of reports in electronic form. This e-government initiative is aimed at making our programs more effective and efficient. The electronic copy is intended to replace the need for a paper copy and is expected to be relied upon for all public information requests, regulatory review, and compliance/enforcement activities.

REQUIREMENTS

- Entire report including cover letter must be submitted as a **single portable document format (PDF) with no password protection**. (If you cannot submit in PDF format, please check with us to see if we can accommodate your report format).
- It is **preferable** that reports be converted to PDF format from their original format, (E.g., Microsoft Word) rather than scanned.
- Signature pages and perjury statements **should** be included and **must** have either original or electronic signature. Alternatively, the paper copy of the signature page and perjury statement can be mailed separately.
- **Do not password protect the document**. Once indexed and inserted into the correct electronic case file, the document will be secured in compliance with the County's current security standards and a password. **Documents with password protection will not be accepted**. If you cannot comply with this you may continue to submit paper documents.
- Each page in the PDF document should be rotated in the direction that will make it easiest to read on a computer monitor.
- Reports must be named and saved using the following naming convention:
RO#_Report Name_Year-Month-Date
(e.g., RO#5555_WorkPlan_2005-06-14)

Additional Recommendations

- A separate copy of the tables in the document should be submitted by e-mail to your Caseworker in Excel format. These are for use by assigned Caseworker only.

Submission Instructions

1. Obtain User Name and Password:
 - Contact the Alameda County Environmental Health Department to obtain a User Name and Password to upload files to the ftp site.
 - a) Send an e-mail to dehloptoxic@acgov.org
or
 - b) Send a fax on company letterhead to (510) 337-9335, to the attention of Alicia Lam-Finneke.
 - In the subject line of your request, be sure to include "**ftp PASSWORD REQUEST**" and in the body of your request, include the **Contact Information, Site Addresses, and the Case Numbers (RO# available in Geotracker) you will be posting for**.
 - Note: Both the User Name and Password are Case Sensitive.
2. Upload Files to the ftp Site
 - a) Using Internet Explorer (IE4+) or equivalent browser, go to <ftp://alcoftp1.acgov.org>
 - b) Click on File, then on Login As.
 - c) Enter your User Name and Password.
Note: Both are Case Sensitive.
 - d) Open "My Computer" on your computer and navigate to the file(s) you wish to upload to the ftp site.
 - e) With both "My Computer" and the ftp site open in separate windows, drag and drop the file(s) from "My Computer" to the ftp window.
3. Send E-mail Notifications to the Environmental Cleanup Oversight Programs
 - a) Send email to dehloptoxic@acgov.org notify us that you have placed a report on our ftp site.
 - b) Copy your Caseworker on the e-mail
 - Your Caseworker's e-mail address is the entire first name then a period and entire last name at acgov.org
(e.g., firstname.lastname@acgov.org)
 - c) The subject line of the e-mail must start with the RO# followed by **Report Upload**.
(e.g., Subject: RO1234 Report Upload)

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

RO0002447

April 12, 2005

Mr. Gary Lyons
50 Hegenberger Loop
Oakland, CA 94621

Re: Fuel Case RO0002447, Underground Tank Closure at 50 Hegenberger Loop, Oakland 94621

Dear Mr. Lyons:

Alameda County Environmental Health has reviewed the files regarding the above referenced site. However, We need additional information from you in order to complete our evaluation. We request that you address the following technical comments and submit the technical report requested below.

TECHNICAL COMMENTS

- 1. MTBE in soil and groundwater-** Please collect a soil and groundwater sample and analyze for MTBE. The sample must be taken downgradient and in the proximity of the former USTs. You may establish groundwater gradient by studying of the available neighboring sites.
- 2. Site map-** Please provide a scaled site map with all samples and their historical and current concentrations of the constituents.
- 3. Summary Tables-** Please provide separate cumulative data tables that include soil and groundwater analytical results for all compounds that were analyzed at this site. For clarity please tabulate your cumulative soil and groundwater data per monitoring point then sorted by date. Include these tables in the report requested below.
- 4. Benzene concentration-** Please collect and analyze an additional soil/groundwater sample in WL4 area where Benzene has been detected at up to 8.5 PPM in soil.

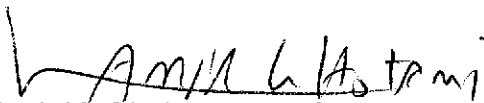
TECHNICAL REPORT REQUEST

Please submit the following technical reports to Alameda County Department of Environmental Health (Attention: Amir K. Gholami):

May 12, 2005 workplan

If you have any questions, please do not hesitate to call me at 510-567-6876.

Sincerely,



Amir K. Gholami, REHS
Hazardous Materials Specialist

C: Mr. David E Cottle Sr., DC Engineering, 135 Cottage Ave, Manteca, CA
95336
D.Drogos, A.Gholami

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

December 26, 2002

Mr. Gary Lyons
50 Hegenberger Loop
Oakland, CA 94621

Re: Fuel Case **RO0002447**, Underground Tank Closure at 50 Hegenberger Loop, Oakland 94621

Dear Mr. Lyons:

Alameda County Environmental Health, Local Oversight Program (LOP), has begun our review of the referenced site for formal closure recommendation. Our recent concern regarding the analysis of MTBE was satisfied with the additional analytical results submitted. However, it appears that there is still an outstanding issue. A soil pile(s) was generated during the tank removal (WL1) and during the over-excavation of tank pit #2, whose disposition is still unaccounted. You were given the option to dispose of this soil or resample after aeration for possible reuse. Which option did you choose? Please submit a copy of either the soil disposal receipt or a copy of the analysis of the soil after re-sampling?

Please contact me at (510) 567-6765 if you have any questions.

Sincerely,

Barney M. Chan
Hazardous Materials Specialist

Soil disp50HegLoop



W.E. LYONS
CONSTRUCTION CO.
Since 1926

W.E.L. Partnership
50 Hegenberger Loop
Oakland, CA. 94621

June 11, 2002

Richard B. Lyons, Partner
Gary W. Lyons, Partner

Re: Health Care Services Memo of April 29, 2002

Gentlemen:

W.E.L. Partnership being current record owner of fee title, we have enclosed for your reference a copy of Alameda County Health Care Services Certified letter under Date of April 29, 2002, as well as a copy of Mr. Barney M. Chan's letter under Date of May 1, 2002 delineating closure requirements.

You may consider this as formal notice of the forthcoming proposed site closure work as required by Alameda County Health Care Services.

Sincerely


Gary W. Lyons Vice Pres.

Cc: Barney M. Chan, for distribution.



State License 180607 A.B1
50 Hegenberger Loop
Oakland, CA 94621
Tel 510 568 • 4829
Fax 510 568 • 3105
www.welyons.com

LANDLORD
RETIRED

SARA

Ro 2447

W.E. LYONS CONSTRUCTION CO.

50 Hegenberger Loop Oakland, CA 94621

License No. 180607

(510) 568-4829 Fax (510) 568-3105

GARY Lyons

510-772-2499

JUN 14 2002

TO: Alameda County Health Care Services

DATE: 6/11/02

1131 Harbor Bay Parkway, Suite 250

RE: 50 Hegenberger Loop, Oakland

Alameda, CA. 94502-6577

Our Job Number 95-7443

Fax: 337-9335

WE ARE FORWARDING THE FOLLOWING:

1

Copy of our letter to W.E.L. Partnership, owner of fee title to 50 Hegenberger Loop

Oakland, CA.

REMARKS:

Mr. Chan: I believe that this is the correspondence you are looking for. I will be following up with more

information shortly, as well as some questions you may be able to answer for me.

For Approval _____

For Final Approval _____

Shipped by

For Selection _____

UPS _____

Express _____

Return _____

Copies with approval and/or comment noted thereon.

First Class X

Our Truck _____

Resubmit _____

Copies Required _____

For your Files _____

Fed-X _____

Other _____

Copies To: _____

W.E. LYONS CONSTRUCTION CO.

By Gary W. Lyons

Vice Pres.

PLOT PLAN:

W.E. DONS CONSTRUCTION
50 HEGENBERGER LOOP
OAKLAND, CA 94621

HEGENBERGER LOOP

N. 70° 24' 30" W.

103.28

15' B.S.B.L.

N. 19° 35' 30" E

15.19



SCALE $\frac{3}{4}" = 15'$

S. 4° 32' 25" W.
224.02

Storage

2-2,000 GAL.
TANKS TO BE
REMOVED

6' OFFICE

GAS
METER

54

36

15

24

N. 4° 32' 25" E
182.65

Covered
Storage

Storage shed

50'

84

24'

5' EASE

S. 85° 27' 35" E. 95.79

LEGEND

- TANK #1
- TANK #2
- PUMPS
- ⊕ ELECT SWITCHES
- *** FENCE
- ELECT SUPPLY
- PRODUCT LINES

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

May 1, 2002
StID 3997/RO00002447

Mr. Gary Lyons
50 Hegenberger Loop
Oakland, CA 94621

Re: Fuel Leak Case RO00002447, 50 Hegenberger Loop, Oakland, CA 94621

Alameda County Environmental Health, Local Oversight Program (LOP), has recently reviewed the case file for the subject site and determined that additional information is necessary to progress your site towards case closure. This request is based upon the following new legislative requirements since our last correspondence of March 13, 1997:

- 1997 addition to Chapter 6.75, Division 20 of the Health and Safety Code, requiring the testing for MTBE at underground tank sites before the Regional Board or the local agency can issue a closure letter.
- Clarification letter dated January 15, 1999 to Mr. Walt Pettit of the State Water Resources Control Board (SWRCB) from William Attwater, Chief Counsel confirming the need to test all sites for MTBE before closure.
- March 26, 1999 Governor Gray Davis signed Executive Order D-5-99 requiring the SWRCB to prioritize MTBE impacted sites to maximize the effort to protect and cleanup groundwater.

Therefore, your site has been transferred to the LOP in accordance with the Notice of Responsibility (NOR) letter sent to you. We request that you address the following technical comments when performing the requested work at your site.

Technical Comments

1. As previously requested, please document the proper disposal of the impacted soil that was not approved for site re-use.
2. A minimum of one groundwater sample should be collected within or down-gradient of the two former underground tanks. The samples should be analyzed for TPHg, and by EPA Method 8260 for BTEX, MTBE, TAME, ETBE, DIPE, TBA, EDB and EDC.

Please submit a work plan to perform this investigation within 30 days or no later than June 3, 2002. This request is pursuant to the Water Board authority under Section 13267 of the California Water Code. You may contact me at (510) 567-6765 with comments or questions.

Sincerely,

Barney M. Chan
Hazardous Materials Specialist

✓ C: B. Chan, files

Wprq50HegLoop



W.E. LYONS
CONSTRUCTION CO.

50 Hegenberg

R02447

City of Oakland - ~~closed~~

FAX TRANSMITTAL

TO: _____

ATTENTION: BARNLEY CHAN

FAX NUMBER: 337-9335

FROM: GARY LYONS

SUBJECT: TANK CLOSURE CLOSE-OUT

DATE: 10/29/97 NO. OF PAGES: 2 (INCLUDING COVER)

ORIGINALS WILL FOLLOW BY MAIL: YES NO

COMMENTS: I HAVE TRIED THE TWO OTHER
NUMBERS I HAD FOR BOTTLE ENGINEERING
& THEY ARE NO LONGER IN SERVICE.

I JUST CALLED THE NUMBER I GAVE
YOU + IT DOES NOT ANSWER

ANY QUESTIONS, PLEASE GIVE ME A CALL

THANKS

State License 180607 A.B1
50 Hegenberger Loop
Oakland, CA 94621
510-568-4829
510-568-3105 FAX

IN CASE OF A PROBLEM WITH THIS FAX, CALL _____ AT 510-568-4829.

NO THANKS



W.E. LYONS
CONSTRUCTION CO.

May 2, 1997

Cottle Engineering
P.O.Box 163
Antioch, Ca. 94509

Attn: Mr. David E. Cottle

Dear Mr. Cottle:

We have called you several time in the last three or four weeks in order to discuss Barney Chan's last letter regarding the close-out of our recent tank project, but have not received any reply from your office.

It would be greatly appreciated if you could find the time to return my calls, so that we can find out what Mr. Chan really needs, if anything.

You may also wish to talk to Mr. Chan directly in order to arrange for a prompt close-out, if you feel that this would be a better solution.

Sincerely


Gary W. Lyons Vice Pres.
W.E. Lyons Construction Co.

File:c:\winword\gw\corcs\cottle-3.doc



State License 180607 A.H1
30 Hegenberger Loop
Oakland, CA 94621
Tel 510 568-4829
Fax 510 568-3105

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



March 13, 1997
StID # 3997

W. E. Lyons Construction Co.
Mr. Gary Lyons
50 Hegenberger Loop
Oakland CA 94621

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

**Re: Subsurface Investigation at 50 Hegenberger Loop, Oakland
CA, 94621**

Dear Mr. Lyons:

As you may recall, after the initial removal of the two underground tanks at the above referenced site, contamination in soil was found in the north end of the southernmost tank and within the small stockpiled soil designated WL1. These results were documented in the November, 1995 Cottle Engineering report.

On September 6, 1996, Mr. Dave Cottle performed additional soil excavation down to groundwater in the north end of the southernmost tank. The stockpiled soil generated, assumed impacted with gasoline, was combined with the soils designated WL1 and were spread in a thin layer so the contamination could aerate. One grab groundwater sample, designated LW-1, was taken after overexcavation. Low concentrations of Total Petroleum Hydrocarbons as gasoline, (TPHg) and TEX (toluene, ethylbenzene and xylenes) was detected in the this water sample. Based upon ~~this result, our office will not require any further work, however, in order for our office to close this site, you are requested to document the proper disposition of the stockpiled soils at your site.~~ They may be either resampled for TPHg and BTEX for possible reuse, or disposed at an appropriate landfill.

Please provide proper soil disposal documentation to our office within 30 days or by April 14, 1997.

You may contact me at (510) 567-6765 if you have any questions.

Sincerely,

Barney M. Chan
Hazardous Materials Specialist

c: B. Chan, files
Mr. D. Cottle, P.O. Box 163, Antioch, CA 94509-0016
sp50Heg

white - env. health
yellow - facility
pink - files

ALAMEDA COUNTY, DEPARTMENT OF
ENVIRONMENTAL HEALTH
Hazardous Materials Inspection Form

1131 Harbor Bay Pkwy
Alameda CA 94502
510/567-6700

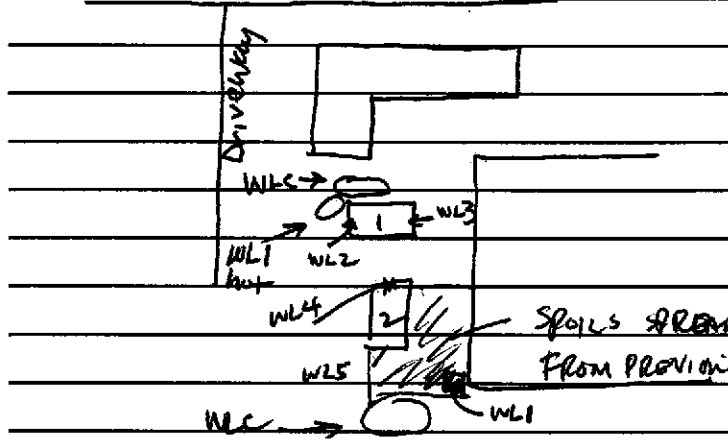
II, III

Site ID # _____ Site Name WE Lyons Today's Date 9/6/96
Site Address 50 Hegenberger Loop
City Oak Zip 94621 Phone _____

____ MAX AMT stored > 500 lbs, 55 gal., 200 cft.?
Inspection Categories:
____ I. Haz. Mat/Waste GENERATOR/TRANSPORTER
____ II. Hazardous Materials Business Plan, Acutely Hazardous Materials
 III. Under ground Storage Tanks R-Followup

* Calif. Administration Code (CAC) or the Health & Safety Code (HS&C)

Comments: N Heg. Loop Present: Gary Lyons + Dave Cattle
Needs:



- 1) either sample WLI or composite w/ added overexc + resample after aeration
- 2) overexc. tank 2. Need sample for TPH₂ + BTEX.

- North tank pit is resurfaced
- North end of tank 2 overexcavated to approx 8.5', GW encountered, moist silty soils w/ mild Gas odor detected
- Because GW encountered, no soil sample required, only 4 VOA's - pls have lab filter sample prior to summary for TPH₂ + BTEX. (using .45µ)
- Should spread out spoils + sample for TPH₂ + BTEX after aeration completed

II, III

Contact _____
Title _____
Signature D. Cattle Sr.

Inspector B. CHAN
Signature Bchan

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 yellow - facility
 pink - files

ALAMEDA COUNTY, DEPARTMENT OF ENVIRONMENTAL HEALTH

1131 Harbor Bay Pkwy
 Alameda CA 94502
 510/567-6700

Hazardous Materials Inspection Form

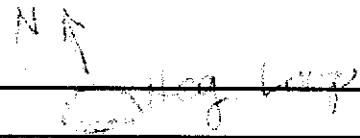
II, III

Site ID # _____ Site Name 118 Lyons Today's Date 7/1/76
 Site Address 50 Harbor Bay Pkwy
 City Oak Zip 94621 Phone _____

- _____ MAX AMT stored > 500 lbs, 55 gal., 200 cft.?
- Inspection Categories:**
- _____ I. Haz. Mat/Waste GENERATOR/TRANSPORTER
 - _____ II. Hazardous Materials Business Plan, Acutely Hazardous Materials
 - _____ III. Under ground Storage Tanks

* Calif. Administration Code (CAC) or the Health & Safety Code (HS&C)

Comments:



Site at 118 Lyons
 and bottles
 Heats
 Harbor Bay Pkwy
 50 Harbor Bay Pkwy
 Oak, CA
 94621

Notes: no hazardous
 materials found
 - some small quantities of
 materials found
 - some small quantities of
 materials found
 - some small quantities of
 materials found

Contact _____
 Title _____
 Signature _____

Inspector J. ...
 Signature _____

II, III

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



Alameda County 004500
Environmental Health Services
1131 Harbor Bay Pkwy., #250
Alameda CA 94502-6577
(510)567-6700 FAX(510)337-9335

April 25, 1996
StID # 3997

W. E. Lyons Construction Co.
Mr. Gary Lyons
50 Hegenberger Loop
Oakland CA 94621

**Re: Request for Work Plan for Subsurface Investigation at 50
Hegenberger Loop, Oakland CA 94621**

Dear Mr. Lyons:

I last spoke with you on November 30, 1995 after the removal of the two underground tanks at the above site. After review of the analytical data from the removals a number of items were discussed and agreed upon. Among these were:

1. Most of the stockpiled soils from Tank 1 and Tank 2 were not contaminated and could be reused to backfill the pit from Tank #1. Also, there was only minor petroleum contamination observed in soil samples from Tank pit 1 and no further work would be required in this area.
2. A small amount of stockpiled soil from Tank 1 was contaminated with gasoline and would need to be aerated and resampled prior to reuse.
3. The north end of Tank 2 detected elevated levels of gasoline and BTEX (benzene, toluene, ethylbenzene, xylenes) which should be overexcavated and resampled. Also, based on the shallow groundwater at this site, should groundwater be encountered during overexcavation and water sample should be taken for chemical analysis.

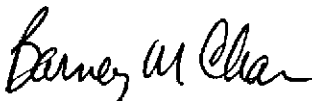
Based on our conversation, I anticipated that this work was being scheduled. To date, our office has not received a work plan nor have we been informed of any further action at this site. Therefore, you are requested to send a work plan to address the above items (#2&3). Please submit your work plan to our office **within 30 days or by May 28, 1996.**

This is a formal request for technical reports pursuant to the California Water Code and the Health and Safety Code. Failure to submit the requested reports may subject W. E. Lyons Construction to appropriate civil liability.

Mr. Gary Lyons
50 Hegenberger Loop
StID # 3997
April 25, 1996
Page 2.

You may contact me at (510) 567-6765 if you have any questions.

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

c: Mr. Dave Cottle, Sr., Cottle Engineering, P.O. Box 163,
Antioch, CA 94509
G. Coleman, files

wpre50Heg

white -env.health
yellow -facility
pink -files

ALAMEDA COUNTY, DEPARTMENT OF ENVIRONMENTAL HEALTH

1131 Harbor Bay Pkwy
Alameda CA 94502
510/567-6700

Hazardous Materials Inspection Form

II, III

Site ID # _____ Site Name WE Lyons Const Today's Date 11, 14, 95
Site Address 50 Hegenberger Loop
City Oak Zip 94621 Phone _____

- MAX AMT stored > 500 lbs, 55 gal., 200 cft.?
- Inspection Categories:**
- ____ I. Haz. Mat/Waste GENERATOR/TRANSPORTER
 - ____ II. Hazardous Materials Business Plan, Acutely Hazardous Materials
 - III. Under ground Storage Tanks Removal

* Calif. Administration Code (CAC) or the Health & Safety Code (HS&C)

Comments:

Hegenberger Loop Spills dry - moist sand + gravel
Total Spills ~ 20 Cysds

• Composite 3 sples from the no odor piles
• run the odorous pile separately

← 3% O₂, 10% ULEL
• Single wall, steel, tar wrapped, no obvious holes
• Pit approx 8 x 10 x 9
• dispenser x Soil spale west end Tank 1 - moist blue clayey sand
• " " east " " " moist blue clay - no odor

Witness the removal of 2 - ~ 2000 gal UL Gasoline tanks (+dropping)
Cable Eng - Contractor - Ray Pentle Tank 2 - 2.5% O₂, 15% ULEL
Charney Williamson - OFD present • Single wall, asphalt wrapping deteriorated, holes
Gary Lyons - present x Soil spale from North end of tank 2, moist, sandy cl
H+H hauler: # 600 935, exp 1/96
x soil spale from South end of T2, moist, blue clay, no odor
Then all sples for TPTG + BTGX Spale taken ~ 9-10' bgs
Manifest # 95589416

Contact G. Lyons
Title _____
Signature [Signature]

Inspector B. Chan
Signature [Signature]

II, III

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 yellow -facility
 pink -files

ALAMEDA COUNTY, DEPARTMENT OF ENVIRONMENTAL HEALTH

1131 Harbor Bay Pkwy
 Alameda CA 94502
 510/567-6700

Hazardous Materials Inspection Form

II, III

Site ID # _____ Site Name McLain's Today's Date 11/14/95

Site Address _____

City Dan Zip 94 621 Phone _____

_____ MAX AMT stored > 500 lbs., 55 gal., 200 cft.?

Inspection Categories:

_____ I. Haz. Mat/Waste GENERATOR/TRANSPORTER

_____ II. Hazardous Materials Business Plan, Acutely Hazardous Materials

/ III. Under ground Storage Tanks Personal

* Calif. Administration Code (CAC) or the Health & Safety Code (HS&C)

Comments:

Hazardous Mat
 3 bags to be removed
 200 yds
 3 bags from this
 area
 on the other side of street

← 3% O₂, 10% LEL
 2x 8x10x9
 Tank # 2 - 2.5% O₂, 15% LEL
 Baggage present
 X sample from tank
 H&H number: 3600958, exp 1/96
 X seal upon tank
 Tank # 2 - 9-00-01
 Manifest # 95587416

Contact T. Laine
 Title _____
 Signature [Signature]

Inspector BC [Signature]
 Signature _____

II, III

**ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY
DEPARTMENT OF ENVIRONMENTAL HEALTH
HAZARDOUS MATERIALS DIVISION
80 SWAN WAY, ROOM 200
OAKLAND, CA 94621
PHONE NO. 510/271-4330**

567-6700

BARNEY CHAN 567-6705

Barney Chan

*Note addy in RED.
Contact me at least 72
working hours prior to
tank pull.*

OK 10/31/95

Bluer

ACCEPTED

Underground Storage Tank Closure Permit Application
Alameda County Division of Hazardous Materials
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

These closure/removal plans have been received and found to be acceptable and essentially meet the requirements of State and Local Health Laws. Changes to your closure plans indicated by this Department are to assure compliance with State and local laws. The project proposed herein is now released for issuance of any required building permits for construction/destruction. One copy of the accepted plans must be on the job and available to all contractors and craftsmen involved with the removal. Any changes or alterations of these plans and specifications must be submitted to this Department and to the Fire and Building Inspectors Department to determine if such changes meet the requirements of State and local laws. Notify this Department at least 72 hours prior to the following required inspections:

- _____ Removal of Tank(s) and Piping
- _____ Sampling
- _____ Final Inspection

Issuance of a) permit to operate, b) permanent site closure, is dependent on compliance with accepted plans and all applicable laws and regulations.

***THERE IS A FINANCIAL PENALTY FOR
NOT OBTAINING THESE INSPECTIONS:**

Contact Specialist:

UNDERGROUND TANK CLOSURE PLAN

* * * Complete according to attached instructions * * *

1. Business Name W. E. Lyons Construction Co.
Business Owner Gary W. Lyons
 2. Site Address 50 Hezenberger Loop
City Oakland Zip 94621 Phone 568-4829
 3. Mailing Address 50 Hezenberger Loop
City Oakland Zip 94621 Phone 568-4829
 4. Land Owner, Gary W. Lyons
Address 50 Hezenberger Loop, State Oakland, CA zip 94621
 5. Generator name under which tank will be manifested W. E. Lyons Construction Co.
- EPA I.D. No. under which tank will be manifested _____

6. Contractor Cotte Engineering
Address P.O. Box 163
City Antioch CA 94509 Phone 778-4882
License Type A ID# 481444

*Effective January 1, 1992, Business and Professional Code Section 7056.7 requires prime contractors to also hold Hazardous Waste Certification issued by the State Contractors License Board. Indicate that the certificate has been received, in addition, to holding the appropriate contractors license type.

7. Consultant N/A
Address _____
City _____ Phone _____

8. Contact Person for Investigation
Name Roy Penite Title Operations
Phone 778-4882

9. Number of tanks being closed under this plan Two
Length of piping being removed under this plan less than 10 feet
Total number of tanks at facility Two

10. State Registered Hazardous Waste Transporters/Facilities (see instructions).

** Underground tanks are hazardous waste and must be handled **
as hazardous waste

a) Product/Residual Sludge/Rinsate Transporter
Name H/H Ship Service Co. EPA I.D. No. CA0004771168
Hauler License No. 0334 License Exp. Date 1/96
Address 220 Terry Francois
City San Francisco State CA Zip 94107

b) Product/Residual Sludge/Rinsate Disposal Site
Name H/H Ship Service Co. EPA I.D. No. CA0004771168
Address 220 Terry Francois
City San Francisco State CA Zip 94107

c) Tank and Piping Transporter

Name H&H Ship Service Co. EPA I.D. No. CAD004771168
Hauler License No. 0334 License Exp. Date 1/96
Address 220 Terry Francois
City San Francisco State CA Zip 94107

d) Tank and Piping Disposal Site

Name H&H Ship Service Co. EPA I.D. No. CAD004771168
Address 220 Terry Francois
City San Francisco State CA Zip 94107

11. Experienced Sample Collector

Name Roy PANTLE
Company Cotte Engineering
Address P.O. Box 463
City Antich State CA Zip 94509 Phone 778-4882

12. Laboratory

Name McC Campbell Analytical
Address 110 Second Avenue South
City Pacheco State CA Zip 94553
State Certification No. 1644

13. Have tanks or pipes leaked in the past? Yes [] No

If yes, describe. _____

14. Describe methods to be used for rendering tank inert

Introduction of dry ice at a ratio of 2.5 lbs. per each 100 gallons of tank volume

Before tanks are pumped out and inerted, all associated piping must be flushed out into the tanks. All accessible associated piping must then be removed. Inaccessible piping must be plugged.

The Bay Area Air Quality Management District (771-6000), along with local Fire and Building Departments, must also be contacted for tank removal permits. Fire departments typically require the use of explosion proof combustible gas meters to verify tank inertness. It is the contractor's responsibility to bring a working combustible gas meter on site to verify tank inertness.

15. Tank History and Sampling Information

Tank		Material to be sampled (tank contents, soil, ground-water, etc.)	Location and Depth of Samples
Capacity	Use History (see instructions)		
2,000 gal.	Gasoline	soil	12' BGS.
2,000 gal.	Gasoline	soil	12' BGS.
		groundwater if encountered	1-2' beneath tank bottom @ each end

One soil sample must be collected for every 20 feet of piping that is removed. A ground water sample must be collected should any ground water be present in the excavation.

Excavated/Stockpiled Soil	
Stockpiled Soil Volume (Estimated) <i>30 ^{cubic} yards</i>	Sampling Plan <i>4 point composite from excavated spoil pile.</i>

Stockpiled soil must be placed on bermed plastic and must be completely covered by plastic sheeting.

16. Chemical methods and associated detection limits to be used for analyzing samples

The Tri-Regional Board recommended minimum verification analyses and practical quantitation reporting limits should be followed. See attached Table 2.

Contaminant Sought	EPA, DHS, or Other Sample Preparation Method Number	EPA, DHS, or Other Analysis Method Number	Method Detection Limit
<i>Gasoline B, T, E, X</i>		<i>5030, Method 8015 8020</i>	<i>Gasoline 1 mg./kg. BTEX 1005 mg./kg.</i>

17. Submit Site Health and Safety Plan (See Instructions)

18. Submit Worker's Compensation Certificate copy

Name of Insurer March & McLennan

19. Submit Plot Plan (See Instructions)

20. Enclose Deposit (See Instructions)

21. Report any leaks or contamination to this office within 5 days of discovery. The report shall be made on an Underground Storage Tank Unauthorized Leak/Contamination Site Report form. (see instructions)

22. Submit a closure report to this office within 60 days of the tank removal. This report must contain all the information listed in item 22 of the instructions.

I declare that to the best of my knowledge and belief the statements and information provided above are correct and true.

I understand that information in addition to that provided above may be needed in order to obtain an approval from the Department of Environmental Health and that no work is to begin on this project until this plan is approved.

I understand that any changes in design, materials or equipment will void this plan if prior approval is not obtained.

I understand that all work performed during this project will be done in compliance with all applicable OSHA (Occupational Safety and Health Administration) requirements concerning personnel health and safety. I understand that site and worker safety are solely the responsibility of the property owner or his agent and that this responsibility is not shared nor assumed by the County of Alameda.

Once I have received my stamped, accepted closure plan, I will contact the project Hazardous Materials Specialist at least three working days in advance of site work to schedule the required inspections.

Signature of Contractor

Name (please type) David Cottle, Sr.

Signature David S. Cottle, Sr.

Date 10-18-95

Signature of Site Owner or Operator

Name (please type) Gregory W. Lyons

Signature Gregory W. Lyons

Date 10-19-95

HEALTH & SAFETY PLAN

for

**W.E. LYONS CONSTRUCTION
50 HEGENBERGER LOOP
OAKLAND, CALIFORNIA**

OCTOBER, 1995

prepared by:

**COTTLE ENGINEERING
P.O. BOX 163
ANTIOCH, CA 94509
510-754-9935**

HEALTH AND SAFETY PLAN

INTRODUCTION:

Cottle Engineering (Cottle) Health and Safety Program is designed to meet the requirements of 29 CFR 1910.120.

The objective of this Health and Safety Plan is to establish health and safety guidelines for the removal two underground gasoline storage tanks located at 50 Hegenberger Loop, Oakland, California. The project will consist of the excavation, removal, and disposal of two 2,000 gallon underground gasoline storage tanks, collection of soil samples for laboratory analyses, analytical reporting, backfilling, resurfacing, and general site cleanup will be performed by the owner.

General information pertaining to the site is provided in Table 1.

TABLE 1

GENERAL INFORMATION HEALTH AND SAFETY PLAN

W.E. Lyons Construction
50 Hegenberger Loop
Oakland, California

Site: W.E. Lyons Construction - Equipment Storage Facility
Location: 50 Hegenberger Loop, Oakland, California
Background Review: Preliminary

Site/Hazard Overview

Apparent Hazard: Low
Type of Facility: Storage
Status of Facility: Active/Fueling System Inactive
Waste Types: Solid
Waste Characteristics: Toxic, Ignitable, Volatile
Hazard Type: Vapors

CHARACTERIZATION OF WASTE PRODUCTS

The chemicals of concern on site are petroleum hydrocarbons. A summary of the health effects is given in Appendix I.

SITE SAFETY WORK PLAN

GENERAL:

Operations that will be conducted on the site include the excavation of two 2,000 gallon underground gasoline storage tanks and the collection of soil samples.

The procedures for collection of soil and groundwater samples are described in Appendix II.

The Site Safety Officer (Table 3), will assess the hazard of inhalation of vapors or particulate matter according to meteorological conditions and the phase of site operations, and will determine when, and in what areas of the site, personnel will be required to wear respirators.

On site personnel are trained to be aware of the potential for temperature stress during site operations. The combination of overexertion, protective clothing, and ambient temperature extremes could cause stress which could lead to dehydration if body liquids and minerals are not replaced. Heat exhaustion in warm climate, and hypothermia in cold climates, etc.. Rest periods and replacement of body fluids by potable drinking water

and electrolyte containing beverages are required to prevent heat stress.

HEALTH AND SAFETY RESPONSIBILITIES FOR KEY PERSONNEL:

The Project Manager and the Site Safety Officer will be responsible for planning and coordinating all on site activities and will ensure that a Tailgate Safety Meeting Form is obtained before work begins. They will also ensure that the Tailgate Safety Meeting Form is signed daily by each employee on site and that the Health and Safety Plan is reviewed by all site operations personnel before work begins.

The Site Safety Officer will be responsible for implementing all facets of the Health and Safety Plan during site operations, including briefing all participants in the Health and Safety Plan requirements, ensuring that all necessary permits are on site, enforcing the use of hearing protection where required, establishing the exclusionary zone or other safe zones as appropriate, and determining actions to be taken in case of an on site emergency. The Site Safety Officer will bring all real or potential health and safety problems to the attention of the Project Manager.

The Project Manager will be responsible for determining all site-specific health and safety decisions and will oversee their implementation.

WORKER TRAINING REQUIREMENTS:

As required by 29 CFR 1910.120, all site operations personnel will have completed at least 40 hours of health and safety training prior to entering the site. Additionally, the Site

Supervisor will have completed an additional 8 hours of specialized instruction. Evidence is generally demonstrated by a Certificate of Training. In addition, no visitors will be allowed inside the exclusionary zone if compliance with the training provisions of 29 CFR 1910.120 cannot be demonstrated.

MEDICAL SURVEILLANCE REQUIREMENTS:

As required by 29 CFR 1910.120, all site operations personnel shall participate in a medical surveillance (Occupational Health) monitoring program (as appropriate for each project). Documentation will be required from all subcontractor site operations personnel to demonstrate this compliance.

DOCUMENTATION:

Compliance with the Health and Safety Plan review requirement will be documented on a sign-off sheet during the safety briefing attendance meetings which will be scheduled at the beginning of field operations and which will be reviewed at the beginning of each day during the conduct of site operations. A sign-off sheet is presented in Appendix III.

This meeting, also known as the Tailgate Safety Meeting, will be conducted by the Site Safety Officer or the Site Operations Supervisor (Table 2). This meeting must be attended by all Cottle employees and other subcontractors working on the project that day. It is strongly recommended that all non-employees at the site also attend.

GENERAL SAFETY REQUIREMENTS:

The following general safety requirements shall be followed by all site operations personnel, or qualified visitors, working and/or entering the site during the conduct of the site operations.

- * No site operations personnel or visitors will be allowed on site without the prior knowledge and consent of the Site Safety Officer.
- * There will be no activities conducted on site without sufficient backup personnel. At a minimum, two persons must be present on the site during the conduct of the site operations. A trained Cottle supervisor, as required by 29 CFR 1910.120, must be present on site at all times during the conduct of site operations.
- * All site operations personnel shall immediately bring to the attention of the Site Safety Officer of Project Manager any unsafe condition or practice associated with the site activities that they are unable to correct themselves.
- * There will be no smoking, eating, chewing gum, drinking or tobacco consumption inside the exclusionary zone/controlled area.
- * Good housekeeping practices will be used on site at all times.
- * Hands shall be thoroughly cleaned prior to smoking, eating or other activities outside the exclusionary zone/controlled area.
- * All borings will be monitored to prevent inadvertent contact.
- * Site operations personnel must avoid unnecessary contamination, including walking through known or suspected "hot spots" or contaminated puddles, kneeling or sitting on the ground, leaning against potentially contaminated barrels or equipment.
- * A fire extinguisher (minimum rating 10:B:C) will be on site at all times.
- * Respiratory devices will not be worn with beards, long sideburns, or under any other conditions that prevent a proper seal while the respirator is being worn.

- * Contact lenses will not be worn with respirators in use.
- * Only designated personnel will be allowed to operate specialized equipment (e.g. drill rig).
- * No confined space entry is authorized by this Health and Safety Plan.

EXCLUSIONARY ZONE/CONTROLLED AREA:

An Exclusionary Zone will be established immediately around the excavation area and the soils stockpile, clearly marked (as needed). A map will be posted on site showing these areas.

The following activities will be conducted in the Exclusionary Zone:

- * Equipment Staging
- * Excavation and Stockpiling of The Spoil
- * Soil Sampling

PERSONAL PROTECTIVE EQUIPMENT:

The level of protection will be Level D (modified if appropriate) with upgrade to Level C if appropriate. Level D includes the following equipment:

- * Hard hat
- * Routine work clothes
- * Steel-toed safety boots
- * Protective eye wear
- * Nitrile gloves (when handling soil, during testing, sampling, shovelling, etc.).

Level D includes the following equipment:

- * Hard hat
- * Nitrile gloves
- * Disposable Tyvek coveralls over work clothes
- * Disposable PVC booties over steel-toed safety boots
- * NIOSH-approved full face (or half-face respirator with goggles) equipped with high-efficiency combination cartridges for toxic particulates and organic vapors (on standby)
- * Earplugs or earmuffs (while working on or around operating equipment)

The decision to upgrade to Level C protective equipment will be determined by the on site Health & Safety Officer.

DECONTAMINATION:

Decontamination consists of contamination-reduction phases and personal hygiene for site operations. The following decontamination/contamination reduction steps will be used:

- * Maximize the use of disposable clothing for personnel protection (latex surgical gloves, Tyvek coveralls, and PVC booties).

- * Remove disposable PVC booties, Tyvek coveralls, outer gloves, and dispose of them in clean unused garbage bags.
- * Remove respirator, remove cartridges, and discard them. Return respirator to storeroom at the end of the job. All respirators will be properly washed, sanitized, tagged, and stored.
- * The garbage bags holding disposable items from the site operations will be placed in securely covered, clearly marked 55-gallon steel drums and placed in an area of the site at the direction of the Site Engineer. Final disposition will be in accordance with the site remedial action.
- * Wash hands and face with soap immediately upon exiting the Exclusionary Zone.
- * After departing the site, site operations personnel should shower as soon as possible.
- * After departing the site, fabric work clothes and undergarments should be washed as soon as possible using routine wash methods.
- * (As appropriate) each piece of equipment (tools and all vehicles contacting potentially contaminated materials) must be decontaminated before it leaves the operation site. This must be done in an area designated for equipment decontamination (to be determined). Large items of equipment, such as the drill rig, vehicles and trucks, should be subjected to decontamination by high pressure water washes or steam. A special solution, such as Liqui-Nox, a 1% to 2% TSP solution, or Bola degreaser, may have to be used on sampling equipment or heavily soiled items. All wash and rinse water must be contained (on visqueen for large equipment, in 5 gallon buckets for tools), collected and stored in marked 55 gallon drums on site until final disposition is determined.

PHYSICAL HAZARDS:

The physical hazards associated with operating heavy equipment are as follows:

- * Moving machine parts
- * "Struck by" or rollover injuries from the equipment
- * Noise levels
- * Exposure to contaminated particulates while excavating soil

- * Possible contact with gas or power lines during excavation
- * Possible contact with underground utilities

All personnel operating the excavating equipment will be experienced with the equipment's operating procedures and safety precautions.

Noise levels for heavy equipment operators may be expected to exceed 85 decibels on the A-weighted scale. Therefore, heavy equipment operators will wear disposable earplugs or earmuffs with a noise reduction rating (NRR) of at least 25 decibels. A hearing conservation program, in conformance with OSHA requirements, will be in effect throughout the duration of the project.

Care will be used when moving excavated spoil to avoid creating dust. An air purifying respirator may be required while performing any operation where sufficient dust may be generated. See Personal Protective Equipment section.

The Project Manager or the Site Safety Officer shall investigate all potential excavation sites for gas and power lines above and below ground before excavating. This includes contacting the Underground Service Alert organization at 800-642-2444 at least 24 hours prior to the job commencement. No excavation will occur in any area where such lines are found.

OCCUPATIONAL EXPOSURE MONITORING:

In order to prevent overexposures to employees of physical and chemical agents, it may be necessary to conduct monitoring evaluations. Environmental agents of concern on this project may include airborne concentrations of petroleum hydrocarbons, noise, or temperature extremes. The Site Safety Officer may use any of the following equipment to assess employee exposure:

- * HNu (or similar) Photoionization Detector
- * Foxboro Organic Vapor Analyzer/Flame Ionization Detector
- * Draeger Colorimetric Indicator Tubes
- * Quest Noise Dosimeter
- * Gilian Personal Air Sampling Pumps, with appropriate media
- * Metrosonics WBGT Heat Stress Monitor
- * Combustible gas indicator with ppm scale (Gastech 1314 or equivalent)
- * Oxygen detector

EMERGENCY INFORMATION:

A description of local resources available in case of emergency is presented on Table 2.

EMERGENCY PROCEDURES FOR INJURY:

If an injury should occur on the site and involves exposure to gross contamination, the local emergency contacts (Table 2) will be notified of the incident and of the potential contaminants

involved. Before being transported to the medical care facility, the victim will undergo a gross washdown using clear water after removal of all contaminated clothing. This will reduce the chance of spreading contaminants to the emergency vehicle and local hospital.

If an accident should occur on site which results in a minor injury (e.g., cuts or bruises), a first aid kit and portable eye wash unit will be available for treatment.

If an accident should occur on site which results in a major trauma (e.g., fractured bones or severe lacerations), the local emergency telephone number (911) will be used to contact emergency services. The victim will not be transported in any vehicle other than a fully equipped emergency vehicle.

SAFETY EQUIPMENT CHECKLIST:

A safety equipment checklist is presented on Table 3.

TABLE 2

**EMERGENCY INFORMATION
LOCAL RESOURCES**

HEALTH AND SAFETY PLAN

**W.E. LYONS CONSTRUCTION
50 Hegenberger Loop
Oakland, California**

Ambulance: 510-655-4000

Hospital Emergency Room: 510-655-4000

Route to the Hospital: Exit the site on Hegenberger Loop, turn on Hegenberger Road, enter the 880 Freeway northbound, exit at Broadway, turn right, turn left on Webster Street follow signs to the Emergency Room.

Local Police: (911)

Local Fire: (911)

Alameda County Health Department: 510-567-6700

Cottle Project Manager: David E. Cottle, Sr.

Cottle Site Safety Officer: Alvin Knackstedt

Cottle Site Operations Supervisor: David E. Cottle, Sr.

TABLE 3

SAFETY EQUIPMENT CHECKLIST

HEALTH AND SAFETY PLAN

W.E. Lyons Construction
Oakland, California

PERSONAL PROTECTION

Full face respirator
Half face respirator
High efficiency combination cartridges for
toxic particulates, organic vapors, and
acid gasses
safety boots - industrial grade work boots
with steel toe
Tyvek coveralls
Safety glasses
Goggles
Hard hat
PVC rain gear
Nitrile Gloves
Latex gloves
PVC Booties

SURVEILLANCE

MISCELLANEOUS:

First aid kit
Drinking water
Eye wash kit
Fire extinguisher
Ear plugs or earmuffs

PERSONAL DECONTAMINATION EQUIPMENT

Clear water
5 gallon plastic buckets
Liqui-Nox
Hand soap
Plastic garbage bags
Paper hand towels



State of California
CONTRACTORS STATE LICENSE BOARD
ACTIVE LICENSE



License Number **481444** Entity **INDIV**

Business Name **COTTLE ENGINEERING**

Classification(s) **A HAZ**

Expiration Date **10/31/95**



STATE OF CALIFORNIA
STATE AND CONSUMER SERVICES AGENCY CONTRACTORS STATE LICENSE BOARD



Building Quality



HAZARDOUS SUBSTANCES REMOVAL AND REMEDIAL ACTIONS CERTIFICATION

Pursuant to the provisions of Section 7058.7 of the Business and Professions Code, the Registrar of Contractors does hereby certify that the following qualifying person has successfully completed the hazardous substances removal and remedial actions examination.



Qualifier: DAVID EVANS COTTLE

License No.: 481444

Namestyle: COTTLE ENGINEERING

WITNESS my hand and official seal this
24th day of DECEMBER 1991

David R. Peltier
Registrar of Contractors

13L-36 (2/91)

This certification is the property of the Registrar of Contractors, is not transferable, and shall be returned to the Registrar upon demand when suspended, revoked, or invalidated for any reason.

A 4310

ACORD. CERTIFICATE OF INSURANCE

31813

ISSUE DATE (MM/DD/YY)

12/27/94

PRODUCER

Marsh & McLennan, Incorporated
 Three Embarcadero Center
 P. O. Box 193880
 San Francisco, CA 94119-3880

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

COMPANIES AFFORDING COVERAGE

COMPANY LETTER	A NATIONAL UNION FIRE INS. CO.
COMPANY LETTER	B
COMPANY LETTER	C
COMPANY LETTER	D
COMPANY LETTER	E

INSURED

Cottle Engineering
 P.O. Box 163
 Antioch, CA 94509

COVERAGES

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED, NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

CO LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR. <input type="checkbox"/> OWNER'S & CONTRACTOR'S PROT.	RHGL 121-07-12	1/01/95	1/01/96	GENERAL AGGREGATE \$ 5000000 PRODUCTS-COMP/OP AGG. \$ 3000000 PERSONAL & ADV. INJURY \$ 1000000 EACH OCCURRENCE \$ 1000000 FIRE DAMAGE (Any one fire) \$ 100000 MED. EXPENSE (Any one person) \$ 10000
A	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS <input type="checkbox"/> GARAGE LIABILITY	RHCA 135-03-11	1/01/95	1/01/96	COMBINED SINGLE LIMIT \$ 1000000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE \$
A	EXCESS LIABILITY <input checked="" type="checkbox"/> UMBRELLA FORM <input type="checkbox"/> OTHER THAN UMBRELLA FORM	BE 309 1435	1/01/95	1/01/96	EACH OCCURRENCE \$ 5000000 AGGREGATE \$ 5000000
A	WORKER'S COMPENSATION AND EMPLOYERS' LIABILITY	RHWC 211-05-97	1/01/95	1/01/96	<input checked="" type="checkbox"/> STATUTORY LIMITS EACH ACCIDENT \$ 1000000 DISEASE-POLICY LIMIT \$ 1000000 DISEASE-EACH EMPLOYEE \$ 1000000
	OTHER				

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/SPECIAL ITEMS

All California Operations. Marelich Mechanical Co., Inc.; Swinerton Walberg & Co.; and Washington Medical Center are hereby named as additional insureds as it applies to the work at Washington West Facilities.

CERTIFICATE HOLDER

City of Burlingame
 Building Division
 501 Primrose Loop
 Burlingame, CA 94010

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE COMPANY, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

Richard Wagner