

Attorneys at Law

1111 Broadway, 24th Floor
Oakland, CA 94607-4036

Post Office Box 2047
Oakland, CA 94604-2047

Telephone: (510) 834-6600
Fax: (510) 834-1928
info@wendel.com

April 2, 2001

Eva Chu
Hazardous Materials Specialist
Alameda County Health Care Services Agency
Environmental Health Services
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

APR 09 2001

Re: 2144 Alvarado Street, San Leandro

Dear Eva:

As you requested, I am enclosing a copy of the Addendum to the RRMP for your files. If you have any questions, please give me a call. Thank you for your efforts to finalize the deed restriction and no further action letter in time to meet the closing schedule for the sale of the property.

Very truly yours,

WENDEL, ROSEN, BLACK & DEAN, LLP

Deborah Livornese

DLL
Enclosure

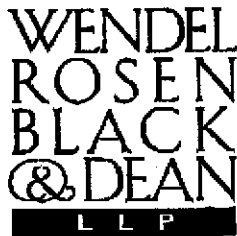
Chu, Eva, Public Health, EHS

From: Roger Brewer[SMTP:Rdb@rb2.swrcb.ca.gov]
Sent: March 28, 2001 8:17 AM
To: EChu@co.alameda.ca.us
Subject: 2144 Alvarado St.

Eva,

I'll be in and out most of the day and tomorrow. I forget if they checked for metals at the 2144 Alvarado site. Since it is assumed that soil at the site has high chlordane and must be kept capped, it really doesn't matter what else it might have in it. You could add an amendment to the Risk Management Plan that any soil exposed or disturbed in the future must be checked for metals in addition to pesticides.

Roger



Attorneys at Law

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Oakland, CA 94607-4036Post Office Box 2047
Oakland, CA 94604-2047Telephone: (510) 834-6600
Fax: (510) 834-1928
info@wendel.com**FAX COVER LETTER**

March 28, 2001

To:	Company:	Telephone:	Fax:
Ms. Eva Chu	Alameda County Health Care Services Agency	510.567.6700	510.337.9335
cc:			
Donald & Beth Coffel		703.768.6663	703.768.6663
Daniel Conrad		415.359.0900	415.359.0073
<hr/>			
From:	Deborah L. Livornese	Number of Pages: 2 (including this page)	
Client Code:	10835.001		
Regarding:	2144 Alvarado Street, San Leandro, California		

Eva-

Per our discussions yesterday and today and in order to expedite the issuance of the no further action letter by your agency, we are sending you a proposed amendment to the RRMP to address the Agency's concern that all possible constituents of concern will be tested for when testing is called for under the RRMP. This Addendum would not change the circumstances under which testing will be required, but just adds the additional metals and PCBs as constituents to be tested for.

I am faxing this to the buyer and owner at the same time, so will need to get their approval prior to finalizing the Addendum. Please let me know if it meets with your approval. As you know, we plan to close this sale next week, so time is of the essence. Thank you for your assistance.

Deborah

cc: Jonathan W. Redding, Esq. (w/ encl.)

010835.0001520113.5

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DRAFT

**ADDENDUM TO RESIDUAL RISK MANAGEMENT PLAN
FOR
2144 ALVARADO STREET, SAN LEANDRO, CALIFORNIA**

This Addendum dated March 28, 2001 ("Addendum") amends the Residual Risk Management Plan for 2144 Alvarado Street, San Leandro, California, dated July 2000 prepared by Stellar Environmental Solutions (the "RRMP").

The subsection of Section 5.0 of the RRMP which is entitled "Proper Offsite Soil Disposal" is amended to require that in addition to being analyzed for the constituents of concern, any excess soils to be offhauled will be analyzed for metals, including mercury, arsenic and lead, and for PCBs.

The subsection of Section 5.0 of the RRMP which is entitled "Criteria for Additional Sampling/Analysis" is amended to require that in addition to sampling and analysis for pesticides, analysis will be done for metals, including mercury, arsenic and lead, and for PCBs.

Except as specifically amended by this Addendum, the RRMP remains unmodified and in full force and effect.

**ADDENDUM TO RESIDUAL RISK MANAGEMENT PLAN
FOR
2144 ALVARADO STREET, SAN LEANDRO, CALIFORNIA**

This Addendum dated March 28, 2001 ("Addendum") amends the Residual Risk Management Plan for 2144 Alvarado Street, San Leandro, California, dated July 2000 prepared by Stellar Environmental Solutions (the "RRMP").

The subsection of Section 5.0 of the RRMP which is entitled "Proper Offsite Soil Disposal" is amended to require that in addition to being analyzed for the constituents of concern, any excess soils to be offhauled will be analyzed for metals, including mercury, arsenic and lead, and for PCBs.

The subsection of Section 5.0 of the RRMP which is entitled "Criteria for Additional Sampling/Analysis" is amended to require that in addition to sampling and analysis for pesticides, analysis will be done for metals, including mercury, arsenic and lead, and for PCBs.

Except as specifically amended by this Addendum, the RRMP remains unmodified and in full force and effect.

Alameda County Environmental Health

1131 Harbor Bay Pkwy., #250
Alameda CA 94502-6577
Telephone (510) 567-6700 FAX (510) 337-9335

FACSIMILE COVER SHEET

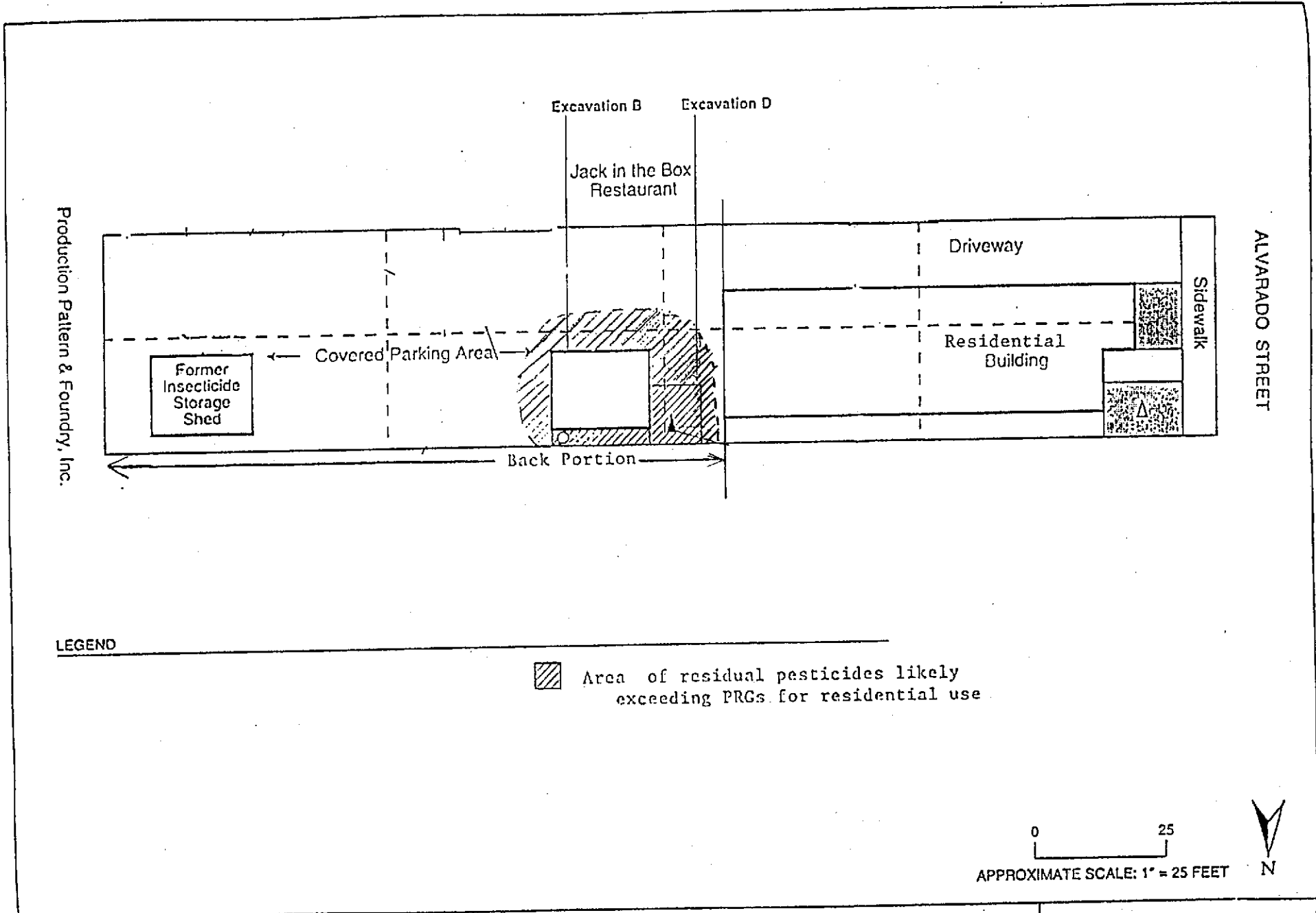
TO: Deborah Livornese

FROM: Bob Chew

DATE: 1/25/01

Total number of pages including cover sheet 2

-NOTES- Here is the site plan with the shaded area extended just a bit.




Production Pattern & Foundry, Inc.

ALVARADO STREET

EXHIBIT B

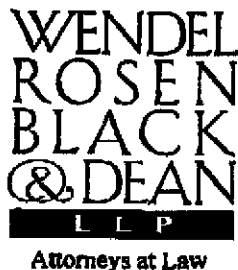
LEGEND

 Area of residual pesticides likely exceeding PRGs for residential use.

0 25
 APPROXIMATE SCALE: 1" = 25 FEET



2144 Alvarado Street, San Leandro, CA



1111 Broadway, 24th Floor
Oakland, CA 94607-4036

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Oakland, CA 94604-2047

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Fax: (510) 834-1928
info@wendel.com

FAX COVER LETTER

January 24, 2001

<i>To:</i>	<i>Company:</i>	<i>Telephone:</i>	<i>Fax:</i>
Ms. Eva Chu	Alameda County Health Care Services Agency	510.567.6700	510.337.9335
<i>cc:</i>			
Donald & Beth Coffel		703.768.6663	703.768.6663
Daniel Conrad		415.359.0900	415.359.0073
<i>From:</i>	Deborah L. Livornese	<i>Number of Pages: 2</i> <i>(including this page)</i>	
<i>Client Code:</i>	10835.001		
<i>Regarding:</i>	2144 Alvarado Street, San Leandro, California		

Eva-

I've revised Exhibit B based on your discussion with Daniel Conrad this afternoon. I will plan to Fed Ex the execution copy to you tonight. If you see something that still needs to be changed, please let me know as soon as you can. Thanks again for giving this matter your continued attention.

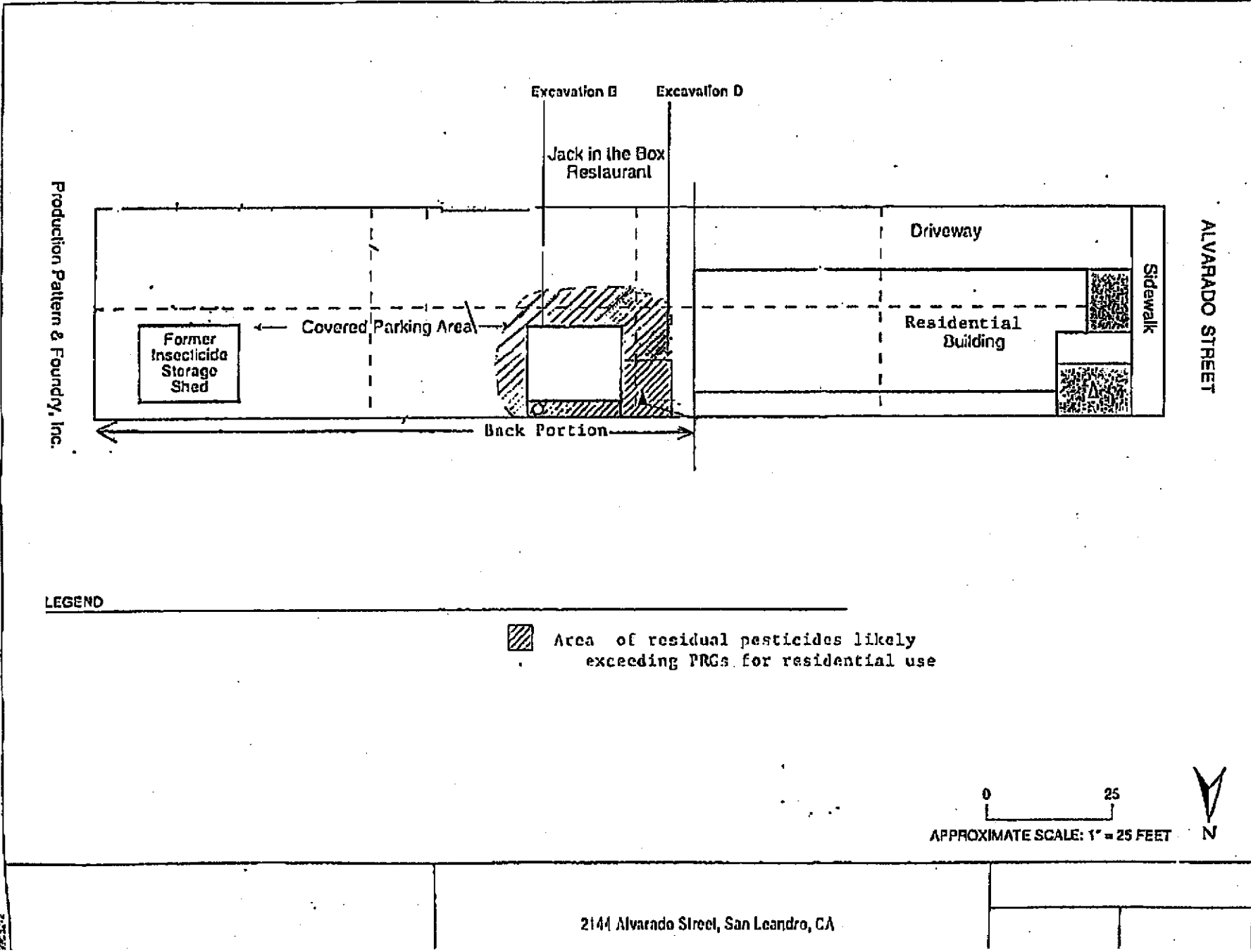
Deborah

cc: Jonathan W. Redding, Esq. (w/ encl.)

010835.0001520113.5

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EXHIBIT B



Production Pattern & Foundry, Inc.

ALVARADO STREET

Excavation E Excavation D

Jack in the Box Restaurant

Driveway

Sidewalk


Residential Building

Former Insecticide Storage Shed

Covered Parking Area

Back Portion

LEGEND

 Area of residual pesticides likely exceeding PRGs for residential use

0 25
APPROXIMATE SCALE: 1" = 25 FEET



2144 Alvarado Street, San Leandro, CA

** TOTAL PAGE.02 **

2-23-04

Alameda County Environmental Health

1131 Harbor Bay Pkwy., #250
Alameda CA 94502-6577
Telephone (510) 567-6700 FAX (510) 337-9335

FACSIMILE COVER SHEET

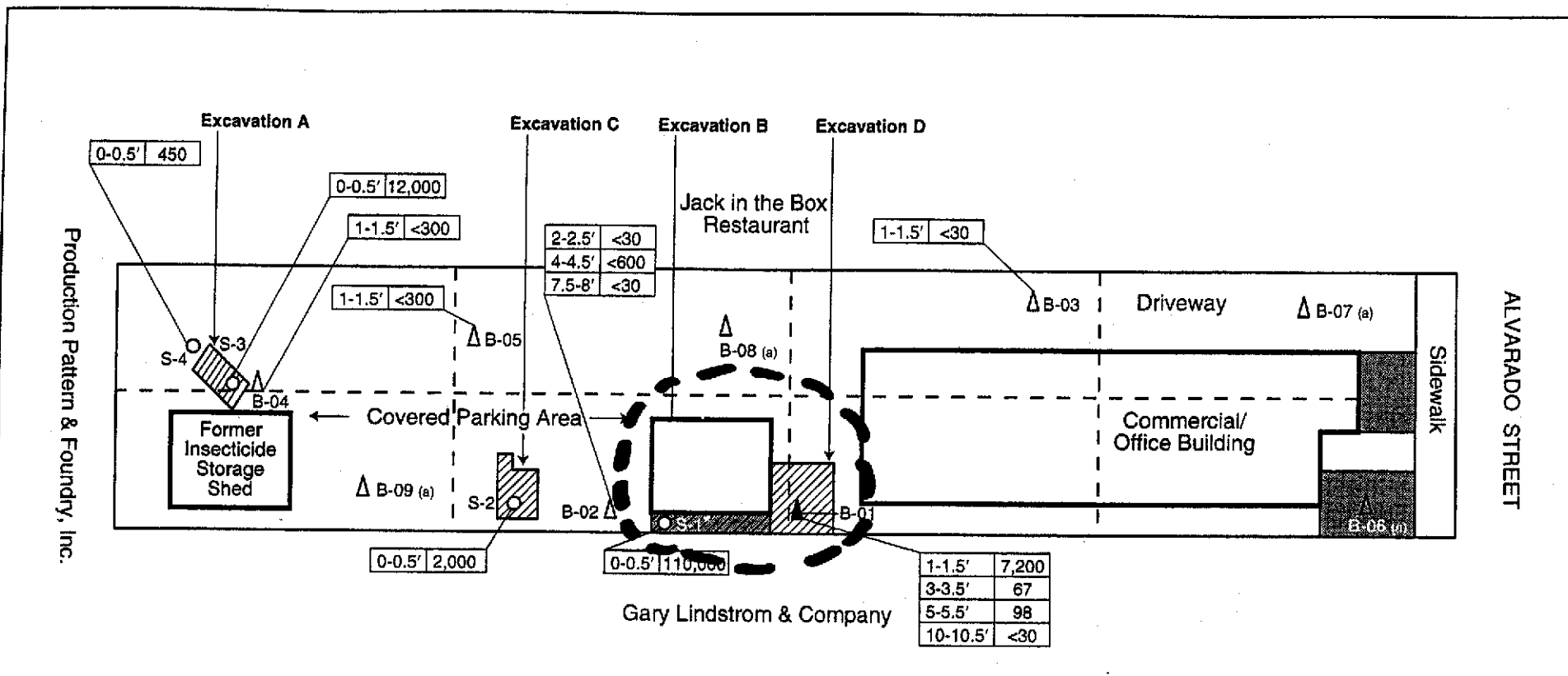
TO: Deborah Luornese


FROM: Don Chu

DATE: _____


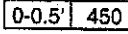

Total number of pages including cover sheet 3

-NOTES- Here's a clean site plan and another
with contaminated area. This is the 'correct'
site plan. We'll keep doing this until we
get it right!

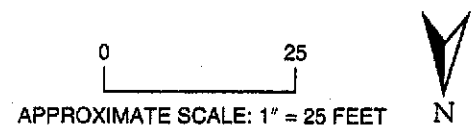


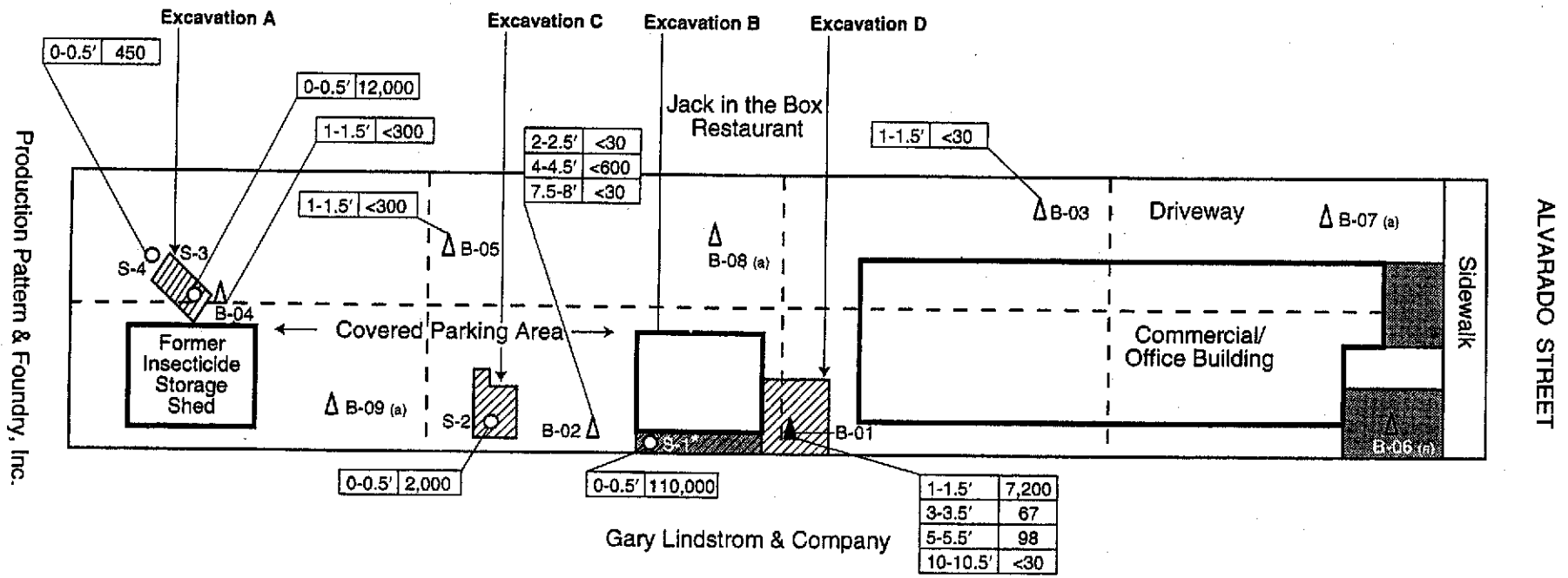
 Area of residual pesticides exceeding PRGs for residential use

LEGEND

- OS-2 K/JC Soil Sample (Oct. 1998)
- ▲ B-05 Feb. 1999 SES Exploratory Bore (Soil Sample Only)
- ▲ B-01 Feb. 1999 SES Exploratory Bore (Soil and Groundwater Sample)
-  Unpaved Area
-  Chlordane concentration (µg/kg) and depth of soil sample (feet)
-  Area of excavation
- | Grid overlay for selection of March 1999 4-point composite soil sample "Comp B06/B07/B08/B09"
- (a) 4-point composite soil sample "Comp B06/B07/B08/B09" contained 300µg/kg chlordane

"<" designation indicates concentration less than detection limit
 * Location incorrect on previous investigation report's figure



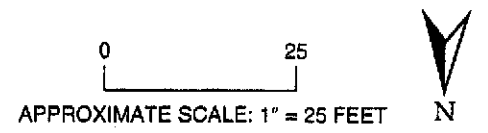


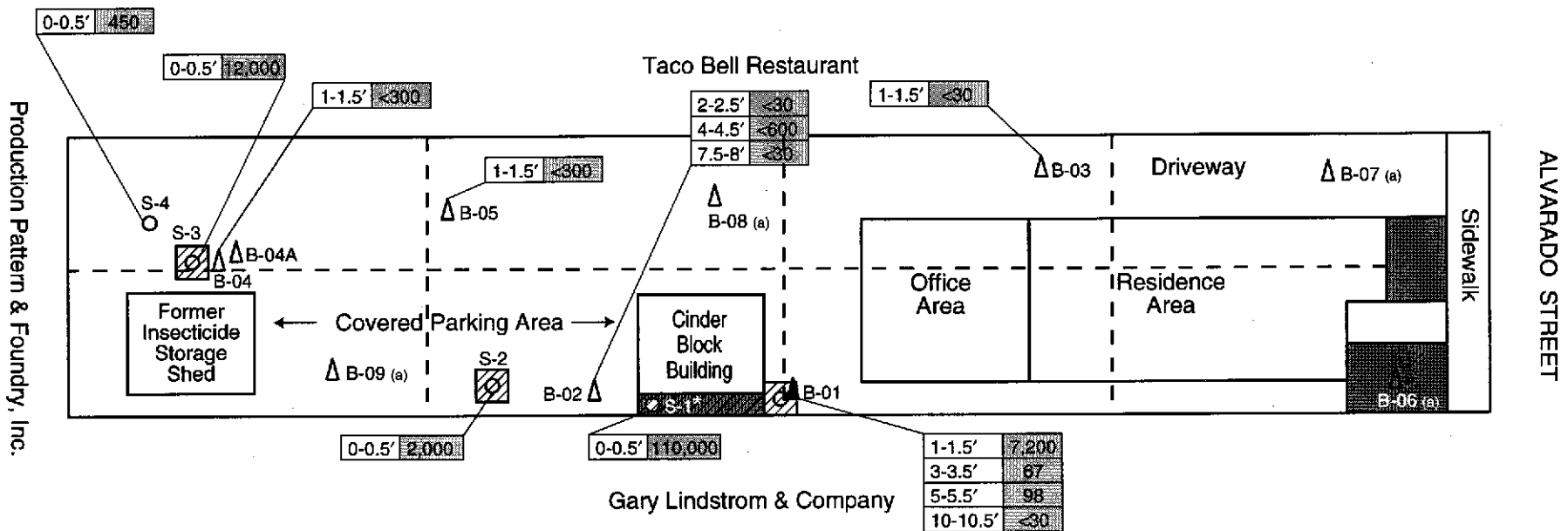
LEGEND

- S-2 K/JC Soil Sample (Oct. 1998)
- △ B-05 Feb. 1999 SES Exploratory Bore (Soil Sample Only)
- ▲ B-01 Feb. 1999 SES Exploratory Bore (Soil and Groundwater Sample)
- Unpaved Area
- 0-0.5' | 450 Chlordane concentration (µg/kg) and depth of soil sample (feet)
- ▨ Area of excavation
- | Grid overlay for selection of March 1999 4-point composite soil sample "Comp B06/B07/B08/B09"
- (a) 4-point composite soil sample "Comp B06/B07/B08/B09" contained 300µg/kg chlordane

"<" designation indicates concentration less than detection limit

* Location incorrect on previous investigation report's figure

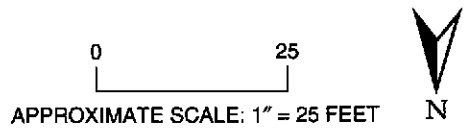




LEGEND

- OS-2 K/JC Soil Sample (Oct. 1998)
- ▲ B-05 SES Exploratory Bore (Soil Sample Only)
- ▲ B-01 SES Exploratory Bore (Soil and Groundwater Sample)
- Unpaved Area
- 0-0.5' 450 Chlordane concentration (µg/kg) and depth of soil sample (feet)
- ▨ Area of proposed excavation
- | Grid overlay for selection of March 1999 4-point composite soil sample "Comp B06/B07/B08/B09"
- (a) 4-point composite soil sample "Comp B06/B07/B08/B09" contained 300µg/kg chlordane

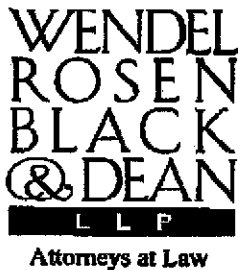
*" designation indicates concentration less than detection limit
 * Location incorrect on previous investigation report's figure (Appendix A)



★ Stellar Environmental Solutions
 Geoscience & Engineering Consulting

Proposed Areas of Excavation, Bore Locations and Chlordane Analytical Results
 San Leandro, 2144 Alvarado Street

Figure 2
 by: MJC APRIL 1999



JAN 23 2001

1111 Broadway, 24th Floor
Oakland, CA 94607-4036

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Oakland, CA 94604-2047

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FAX COVER LETTER

January 22, 2001

<i>To:</i>	<i>Company:</i>	<i>Telephone:</i>	<i>Fax:</i>
Ms. Eva Chu	Alameda County Health Care Services Agency	510.567.6700	510.337.9335
<i>cc:</i>			
Donald & Beth Coffel		703.768.6663	703.768.6663
Daniel Conrad		415.359.0900	415.359.0073
<i>From:</i>	Deborah L. Livornese	<i>Number of Pages: 2</i> <i>(including this page)</i>	
<i>Client Code:</i>	10835.001		
<i>Regarding:</i>	2144 Alvarado Street, San Leandro, California		

Eva-

Here is revised Exhibit B. Can we delete the area of Excavation C? Please let me know if you think this one will work. Thanks.

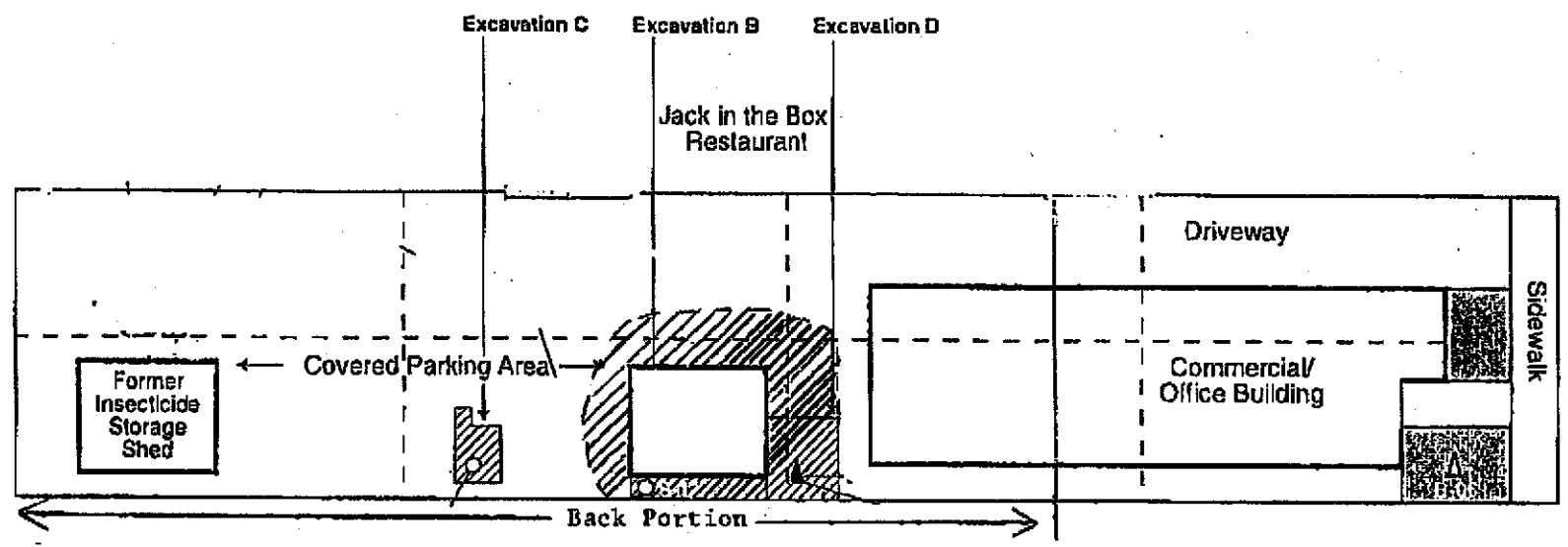
Deborah

cc: Jonathan W. Redding, Esq. (w/ encl.)

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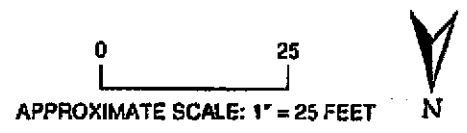
Production Pattern & Foundry, Inc.



ALVARADO STREET

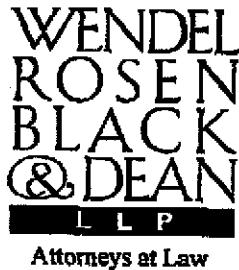
LEGEND

 Area of residual pesticides likely exceeding PRGs for residential use



2144 Alvarado Street, San Leandro, CA

EXHIBIT B



1111 Broadway, 24th Floor
Oakland, CA 94607-4036

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Oakland, CA 94604-2047

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Fax: (510) 834-1928
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FAX COVER LETTER

January 2, 2001

<i>To:</i>	<i>Company:</i>	<i>Telephone:</i>	<i>Fax:</i>
Ms. Eva Chu	Alameda County Health Care Services Agency	510.567.6700	510.337.9335
<i>cc:</i>			
Donald & Beth Coffel		703.768.6663	703.768.6663
Daniel Conrad		415.359.0900	415.359.0073
<i>From:</i>	Deborah L. Livornese	<i>Number of Pages: 2</i> (including this page)	
<i>Client Code:</i>	10835.001		
<i>Regarding:</i>	2144 Alvarado Street, San Leandro, California		

Eva-

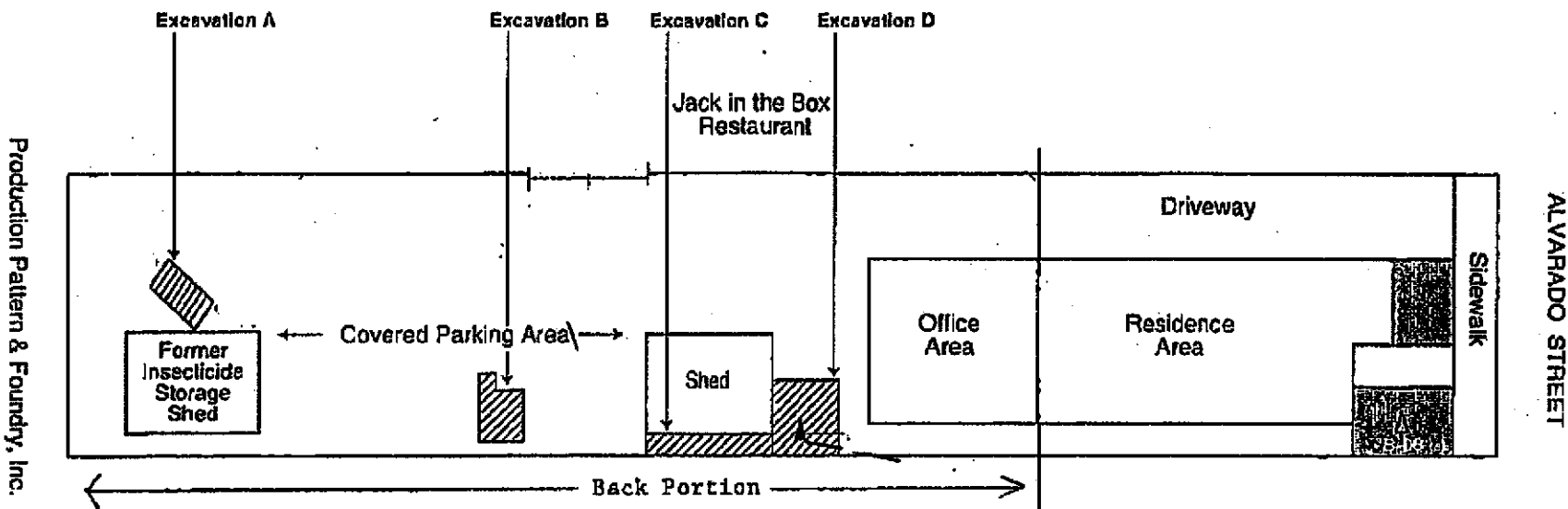
Here is the proposed new Exhibit B. Please let me know if you think this one will work.


Deborah

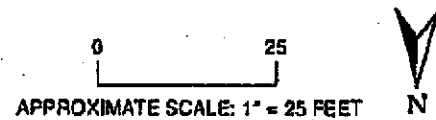
cc: Jonathan W. Redding, Esq. (w/ encl.)

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 Areas of excavation and residual contamination



2144 Alvarado Street, San Leandro, CA

1/23/01
Renee King
Pur King

January 13, 2001

Donald L & Beth A. Coffel
7921 Bayberry Dr
Alexandria, VA 22306-3214
(Phone & Fax (703) 768-6663)


Alameda County Health Care Services
Environmental Health Services
ATTN: Eva Chu
1131 Harbor Bay Parkway, Suite #250
Alameda, CA 94502-6577

RE: Project #7344B at 2144 Alvarado St., San Leandro, CA

Dear Ms. Chu

Thank you for the notice of a negative balance which is holding up completion of our project. This is the first time we knew we were in arrears with your agency. We would appreciate a 2000 statement for our tax records. Enclosed is our check #0912 dated today for \$2500.00 as requested. We appreciate your assistance in getting our project completed as soon as possible. Our buyer has been patient but we know they can change their minds.

Sincerely,


Donald L. & Beth A. Coffel

Enclosed: County Letter
Check

Copy to: Deborah Livornese, Wendel-Rosen, 1111 Broadway, 24th Floor.
Oakland, CA 94607-4036

Chu, Eva, Public Health, EHS

From: Chu, Eva, Public Health, EHS
Sent: January 10, 2001 11:21 AM
To: 'Bakaldin, Mike'
Cc: 'Deborah Livornese'
Subject: 2144 Alvarado St., San Leandro

Hi Mike,

I thought the following could be added to the deed restriction:

- D. Add "The Burdened Property is zoned for industrial use."
- G. Add to the end, "and/or at the City of San Leandro, Environmental Services, 835 East 14th Street, San Leandro, CA 94577."

Article II

- 2.1 Add to definition of Agency as "Alameda County Health Care Services Agency and/or other lead regulatory agency"

Article V

- 5.2 Change If To: "County" to : If To "Agency"
and add: and/or
City of San Leandro
Environmental Services
835 E 14th Street
San Leandro, CA 94577

Please let me know what changes you would like to recommend.

Thanks,

evachu

Alameda County Environmental Health
1131 Harbor Bay Parkway
Alameda, CA 94502
(510) 567-6762
(510) 337-9335 fax

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

StID 6636

January 3, 2001

Mr. Donald Coffel
7808 Frances Drive
Alexandria, VA 22306-2820

**RE: Project #7344B, Add-on
at 2144 Alvarado Street, San Leandro, CA**

Dear Mr. Coffel:

Our records indicate the deposit/refund account for the above project has fallen below the minimum deposit amount. The account is currently in a negative balance of -\$797.50. To replenish the account, please submit a deposit of \$2500.00, payable to Alameda County, Environmental Health Services, within two weeks of receipt of this letter.

It is expected that the amount requested will allow the project to be completed with a zero balance. Otherwise, more money will be requested, or 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 this project will be debited at the Ordinance specified rate, currently \$105 per hour.

Please be sure to write the following identifying information on your check:

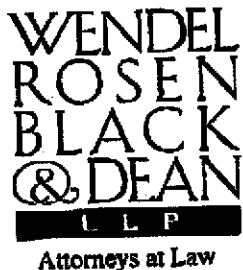
project #7344B/ Stid #6636
type of project (site mitigation, add-on), and
site address (2144 Alvarado, San Leandro, CA)

If you have any questions, please contact me at (510) 567-6762.

eva chu
Hazardous Materials Specialist

c: Deborah Livornese, Wendel-Rosen, 1111 Broadway, 24th Floor,
Oakland, CA 94607-4036

coffel-2



1111 Broadway, 24th Floor
Oakland, CA 94607-4036

Post Office Box 2047
Oakland, CA 94604-2047

Telephone: (510) 834-6600
Fax: (510) 834-1928
info@wendel.com

FAX COVER LETTER

January 3, 2001

To:	Company:	Telephone:	Fax:
Ms. Eva Chu	Alameda County Health Care Services Agency	510.567.6700	510.337.9335
From:	Deborah Livornese	Number of Pages: 2 (including this page)	
Client Code:	010835.001		
Regarding:	<i>Deed Restriction - 2144 Alvarado Street, San Leandro</i>		

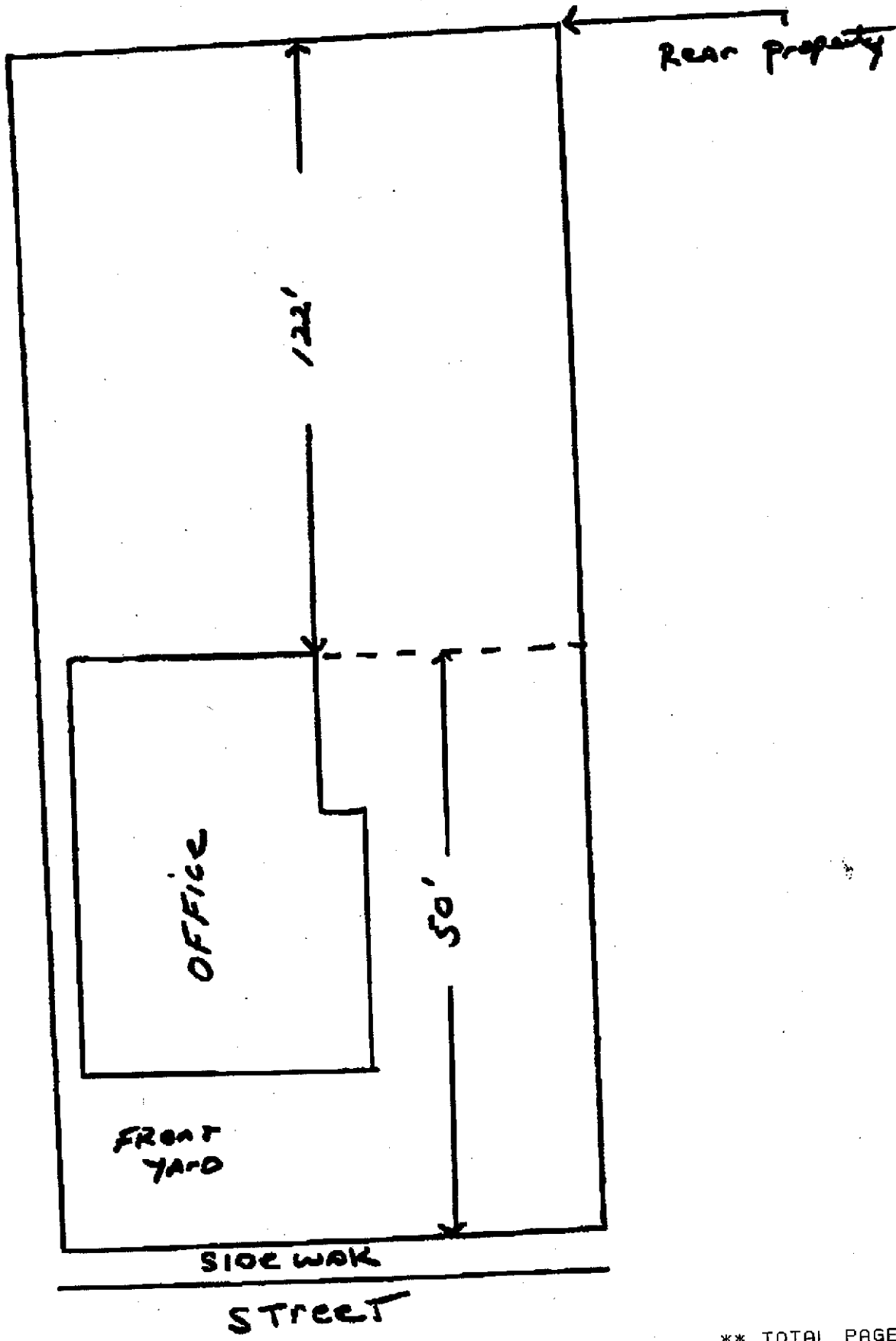
Eva- Per our conversation earlier today, I am sending to you the site plan which shows the delineation between the front and back portions of the parcel.

Deborah

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010835.0001\540978.2

2144 Alvarado
San Leandro, California



"NOT TO SCALE"

Chu, Eva, Public Health, EHS

From: Roger Brewer[SMTP:Rdb@rb2.swrcb.ca.gov]
Sent: December 22, 2000 1:58 PM
To: EChu@co.alameda.ca.us
Subject: Fwd: RE: 2144 Alvarado Street, San Leandro/Don & Beth Coffel



RE: 2144 Alvarado
Street, San Leandr...

Eva,

See attached note from Deborah Livernese. As we discussed, applying a commercial land use restriction only to the rear of the property probably won't work. If they intend to use any part of the property for residential purposes, the restriction would have to be for a permanent cap over impacted soils. This may not be acceptable for a residential area, in part because it would be difficult to enforce. DTSC has apparently told Ravi that they are no longer accepting the use of caps, etc. for residential properties.

Roger D. Brewer
Associate Engineering Geologist
Bay Area Water Board
tel: 1-510-622-2374
fax: 1-510-622.2460
rdb@rb2.swrcb.ca.gov

Chu, Eva, Public Health, EHS

From: Deborah Livornese[SMTP:DLivornese@wendel.com]
Sent: December 18, 2000 10:39 AM
To: 'Roger Brewer'
Cc: Jonathan W. Redding; 'danielconrad@compuserve.com'
Subject: RE: 2144 Alvarado Street, San Leandro/Don & Beth Coffel

Roger - These generally seem acceptable. Please see my specific responses in [brackets] below.

As you know, the owners have a contract to sell the property which is contingent upon obtaining the deed restriction and no further action letter by February 6, 2001 (90 days after the contract was signed). The buyer has also reviewed the proposed changes to the deed restriction and concurs with our comments below.

Please let me know if you have any questions.
Thanks for your help.
Deborah

-----Original Message-----

From: Roger Brewer [mailto:Rdb@rb2.swrcb.ca.gov]
Sent: Monday, December 11, 2000 3:47 PM
To: DLivornese@wendel.com
Cc: EChu@co.alameda.ca.us; John Wolfenden
Subject: Re: 2144 Alvarado Street, San Leandro/Don & Beth Coffel

Deborah,

Below are comments from our legal representative Sheryl Freeman (with some additional notes on my part), regarding the deed covenant for 2144 Alvarado St. It looks like she wants to see most of the boiler plate language left in place. Let's have a conference call with Eva Chu after you've had a chance to look over the comments.

Roger

1) The grantee is the Alameda County Health Care Services Agency. This is the first I've seen structured this way. I have no idea what kind of staffing or monitoring resources or programs they have for this kind of thing. This also means the Board will have no control over enforcing it, or the conditions under which it might be rescinded. If you really want to do it this way, though, note that the person replacing the Board with the Agency throughout the document also missed at least one spot (1.1).

[DL: This is more a question for the Board and the Agency, but what the property owner is looking for is something that indicates that both have signed off on the deed restriction and that no further action will be required. Eva Chu had indicated that if the Board signs the deed restriction, the Agency would do the no further action letter. Please let us know what the Agency & Board decide.]

2) In several parts of the document, the "back portion" of the property is referenced, but not described. Since the only limitations in the document concern the "back portion", this must be defined in order to have any meaning or enforceability whatsoever. (Note from RDB- the land use restriction should apply to the entire parcel).

[DL: I will fax to you a site plan of the property which shows the delineation between the back and front of the property and shows the distance from the sidewalk to the back portion. We propose that this be an exhibit to the deed restriction. Please let us know if this meets your

Chu, Eva, Public Health, EHS

From: Roger Brewer[SMTP:Rdb@rb2.swrcb.ca.gov]
Sent: December 11, 2000 3:47 PM
To: DLivornese@wendel.com
Cc: EChu@co.alameda.ca.us; John Wolfenden
Subject: Re: 2144 Alvarado Street, San Leandro/Don & Beth Coffel

Deborah,

Below are comments from our legal representative Sheryl Freeman (with some additional notes on my part), regarding the deed covenant for 2144 Alvarado St. It looks like she wants to see most of the boiler plate language left in place. Let's have a conference call with Eva Chu after you've had a chance to look over the comments.

Roger

- 1) The [REDACTED] is the Alameda County Health Care Services Agency. This is the first I've seen structured this way. I have no idea what kind of staffing or monitoring resources or programs they have for this kind of thing. This also means the Board will have no control over enforcing it, or the conditions under which it might be rescinded. If you really want to do it this way, though, note that the person replacing the Board with the Agency throughout the document also missed at least one spot (1.1).
- 2) In several parts of the document, the "back portion" of the property is referenced, but not described. Since the only limitations in the document concern the "back portion", this must be defined in order to have any meaning or enforceability whatsoever. (Note from RDB- the land use restriction should apply to the entire parcel).
- 3) Section 1.4 should be restored.
- 4) Section 3.1 restricts the property to "nonresidential uses" but deletes all the boilerplate that normally more precisely and carefully lays out what is included in non-residential. This is therefore inadequate. Are day care centers permitted? Schools? Hospitals? These are more sensitive uses than residential, but are nonresidential and arguably permitted under the proposed language. The boilerplate should be restored.
- 5) The language providing the authority to require the removal of prohibited improvements in section 3.3 should also be restored.
- 6) Section 3.4 seems to conclude that there are no ground water effects from this contamination. True? (Note from RDB - Yes, based on available data and the nature of the pesticides released.)
- 7) Under what conditions would the County allow for a variance or termination under section 4.1 or 4.2?
- 8) The boilerplate language regarding "construction" (interpretation) of the document in section 5.7 should be restored.

requirements. Please send me your fax number. The land use restriction will impact the entire property in that the deed restriction will be recorded against the entire parcel, the restrictions (i.e., no residential use, no excavation without prior authorization, etc.) should apply only to the "rear portion" as that is the only portion at which contamination has been shown or for which there is any reason to believe there might be contamination.]

3) Section 1.4 should be restored.

[DL: Agreed.]

4) Section 3.1 restricts the property to "nonresidential uses" but deletes all the boilerplate that normally more precisely and carefully lays out what is included in non-residential. This is therefore inadequate. Are day care centers permitted? Schools? Hospitals? These are more sensitive uses than residential, but are nonresidential and arguably permitted under the proposed language. The boilerplate should be restored.

[DL: Agreed]

5) The language providing the authority to require the removal of prohibited improvements in section 3.3 should also be restored.

[DL: Agreed]

6) Section 3.4 seems to conclude that there are no ground water effects from this contamination. True? (Note from RDB - Yes, based on available data and the nature of the pesticides released.)

[DL: yes, there is no ground water issue here]

7) Under what conditions would the County allow for a variance or termination under section 4.1 or 4.2?

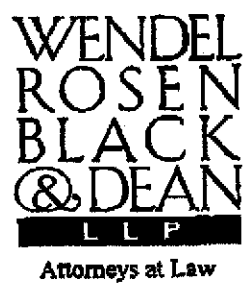
[DL: I assume this question is directed to the Agency. Please let us know what is proposed to be added.]

8) The boilerplate language regarding "construction" (interpretation) of the document in section 5.7 should be restored.

[DL: Agreed]

When residual pesticides are remediated, removed, to levels which that is demonstrated to not significantly impact human health and/or environment.

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Post Office Box 2047
Oakland, CA 94604-2047

Telephone: (510) 834-6600
Fax: (510) 834-1928
info@wendel.com

FAX COVER LETTER

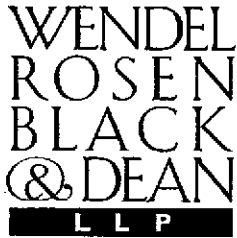
October 9, 2000

To:	Company:	Telephone:	Fax:
Ms. Eva Chu	Alameda County Health Care Services Agency	510.567.6700	510.337.9335
Daniel Conrad		415.359.0900 ext. 203	415.359.0073

From:	Jonathan W. Redding jredding@wendel.com	Number of Pages: 9 (including this page)
Client Code:	010835.001	
Regarding:	Deed Restriction - 2144 Alvarado Street, San Leandro	

10/17/00 Per Roger Brewer: use RWOCB's Deed Restriction
 Please see attached. Format w/ Redlined Strikeout - Email to
 Roger Brewer. He will review and send over to
 Cheryl Freeman (legal counsel at Sacramento)
 for review. Process can take ~ 2 weeks.

The information contained in this facsimile is confidential and may also be privileged. The information is intended only for the use of the individual or entity to whom it is addressed. If you are not the intended recipient, or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any use, dissemination, distribution or copying of this communication is strictly prohibited. If you have received this facsimile in error, please immediately notify us by a collect telephone call to (510) 834-6600, and return the original message to us at the address above via the US Postal Service. Thank you.



Attorneys at Law

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Oakland, CA 94607-4036

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Fax: (510) 834-1928
info@wendel.com

October 9, 2000

VIA FACSIMILE AND U.S. MAIL

Eva Chu
Hazardous Materials Specialist
Alameda County Health Care Services Agency
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

ENVIRONMENTAL
PROTECTION
00 OCT 11 AM 9:27

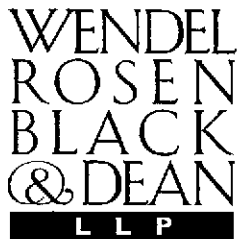
Re: Deed Restriction/2144 Alvarado Street, San Leandro

Dear Eva:

Thank you for your assistance on this project. I am attaching a draft of the Covenant Regarding Environmental Conditions and Restrictions ("Deed Restrictions") for the County's review and consideration. In drafting this Deed Restriction, I have carefully reviewed signed and recorded deed restrictions in which the San Francisco Regional Water Quality Control Board has served as the lead agency. I have also reviewed draft deed restrictions which were apparently being discussed with Chris Noma of this office and Susan Hugo; however, as of my last discussion with Chris, the County has not agreed on any specified format.

Notwithstanding the fact that there seems to be no consensus at the County as to how to approach this issue, since you have determined that a Deed Restriction is required for this property, I am hoping that the County will be able to quickly review, approve and/or modify the form of deed restriction that I have prepared. It contains all of the legally required provisions for recordation, and it contains all of the language incorporating the restrictions which you have informed me are necessary, based upon our several e-mails and telephone conversations on the subject. In essence, no construction can occur on the back portion of the property without following the HMP and no residential use of the back portion of the property may occur.

An agreement to sell the property has been reached, contingent only upon the timely negotiation and satisfaction of Alameda County with the form of Deed Restriction and the issuance of the no further action letter referenced in your letter to Mr. and Mrs. Coffel dated July 28, 2000, a copy of which is enclosed for your ease of reference. The buyer of the property has reviewed the Deed Restriction in its current form and has agreed to the limitations on the use of the property, all of which are embodied in the contract for sale of the property. My



Attorneys at Law

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Oakland, CA 94607-4036

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Telephone: (510) 834-6600
Fax: (510) 834-1928
info@wendel.com

October 9, 2000

VIA FACSIMILE AND U.S. MAIL

Eva Chu
Hazardous Materials Specialist
Alameda County Health Care Services Agency
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

00 OCT 11 AM 9:27
ENVIRONMENTAL
PROTECTION

Re: Deed Restriction/2144 Alvarado Street, San Leandro

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Ms. Eva Chu
October 9, 2000
Page 2

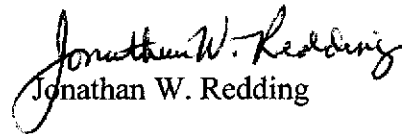
WENDEL, ROSEN, BLACK & DEAN, LLP

client has been trying to sell this property for a number of years now. Now that we have an offer in hand and are willing to agree to this Deed Restriction, we are hopeful that the County will be able to process it promptly. Please call me with any questions or proposed edits which you would like.

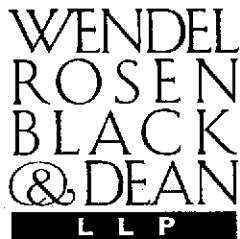
Thank you for your assistance and cooperation.

Very truly yours,

WENDEL, ROSEN, BLACK & DEAN, LLP


Jonathan W. Redding

JWR:kel
Enclosure (Draft Deed Restriction)
cc: Donald & Beth Coffel
Daniel Conrad
Michael Tanzillo
Deborah L. Livornese



Attorneys at Law

1111 Broadway, 24th Floor
Oakland, CA 94607-4036

Post Office Box 2047
Oakland, CA 94604-2047

Telephone: (510) 834-6600
Fax: (510) 834-1928
info@wendel.com

Recording Requested By:

Wendel, Rosen, Black & Dean, LLP
1111 Broadway St., 24th Floor
Oakland, CA 94607

When Recorded, Mail To:

Alameda County Health Care Services Agency
Environmental Health Services
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

COVENANT REGARDING ENVIRONMENTAL CONDITIONS AND RESTRICTIONS
AT
2144 Alvarado Road
San Leandro, CA

This Covenant of Environmental Conditions and Restrictions is made as of this ____ day of _____, 2000 by and between Beth and Donald Coffel (hereinafter "Owner" or "Covenantor") and the Alameda County Health Care Services Agency hereinafter the "County" with respect to that certain real property located at 2144 Alvarado Road situated in the City of San Leandro, County of Alameda, State of California which is described in Exhibit A attached hereto and incorporated herein by this reference (hereinafter referred to as the "Property"), for the benefit of the County.

ARTICLE I

The following facts apply to the above-referenced Property:

1.1 The Property has historically been utilized by pesticide companies which have operated on the back portion of the property for the storage and handling of pesticide-containing materials. These materials are hazardous substances under California law.

1.2 Releases of hazardous substances consisting of pesticide related substances has occurred at the Property.

1.3 The Property has been the subject of a County approved soil removal project to remove the highest known concentrations of pesticide-containing soil.

1.4 Residual pesticides at low concentrations remain at the Property.

1.5 The residual pesticide levels which remain in the soil at the back portion of the Property behind the residence/office pose no threat to the human health or the environment, provided that the use of the back portion of the property remains nonresidential and the Risk Management Plan (RMP) prepared for the Owner and required and approved by the County is followed in the event of any excavation or redevelopment of the site.

1.6 Copies of reports documenting environmental conditions at this site and a copy of the RMP may be found at the Environmental Health Services Division of the Alameda County Health Care Services Agency at 131 Harbor Bay Parkway, Suite 250, Alameda, California 94502-6577.

ARTICLE II

DEED RESTRICTION

2.1 Owner hereby covenants that the use of the back portion of the Property behind the residence/front office structure shall be restricted to nonresidential uses. Any attempt to redevelop or utilize this portion of the Property for other purposes, can be done only pursuant to written request and approval by the County. Nothing herein shall prohibit the continued use of the area on which the residence/front office structure is located for residential purposes.

2.2 No significant excavation of the back portion of the Property shall occur, except in compliance with the RMP.

2.3 Except as stated in paragraph 2.1 and 2.2 herein, there are no restrictions regarding use of the Property for commercial purposes.

2.4 The restrictions set forth in this Article are reasonably necessary to protect present and future human health and safety of the environment as a result of the presence of hazardous substances on the Property.

2.5 This Notice and the restrictive provisions contained in this Article herein shall run with the land and shall apply to and inure to the benefit of and bind the respective successors in interest thereof, for the benefit of the County as provided for in Section 1471 of the Civil Code.

2.6 All purchasers, lessees, or possessors of any portion of the Property shall be deemed by their purchase, leasing, or possession of such Property, to be in accord with the foregoing and to agree for and among themselves, their heirs, successors, and assignees, and the agents, employees, and lessees of such owners, heirs, successors, and assignees, that the restrictions as herein established must be adhered to for the benefit of future Owners and

Occupants of the Property and that the interest of the future Owners and Occupants of the Property shall be subject to the restrictions contained herein.

2.7 Violation of the Covenant, including failure of the Owner to comply with any of the restrictions set forth in paragraph 2.1, shall be grounds for the County to file civil actions against the Owner as provided by law.

2.8 After the date of recordation hereof, all Owners and Occupants shall execute a written instrument which shall accompany all purchase agreements or leases relating to the property. Any such instrument shall contain the following statement:

The land described here contains residual levels of hazardous substances in the soil and is subject to a deed restriction dated as of _____, 2000, in the Official Records of Alameda County, California, as Document No. _____, which Covenant and restriction imposes certain covenants, conditions, and restrictions on usage of the property described herein. This statement is not a declaration that a hazard exists.

ARTICLE III

VARIANCE AND TERMINATION

3.1 Variance. Any Owner or, with the Owner's consent, any Occupant of the Property or any portion thereof may apply to the County for a written variance from the provisions of this Covenant.

3.2 Termination. Any Owner or, with the Owner's consent, any Occupant of the Property or a portion thereof may apply to the County for a termination of the Restrictions as they apply to all or any portion of the Property.

3.3 Term. Unless terminated in accordance with paragraph 4.2 above, by law or otherwise, this Covenant shall continue in effect in perpetuity.

ARTICLE V

MISCELLANEOUS

4.1 No Dedication Intended. Nothing set forth herein shall be construed to be a gift or dedication, or offer of a gift or dedication, of the Property or any portion thereof to the general public.

4.2 Notices. Whenever any person gives or serves any notice, demand, or other communication with respect to this Covenant, each such notice, demand, or other communication shall be in writing and shall be deemed effective (1) when delivered, if personally delivered to the person being served or official of a government agency being served,

or (2) three (3) business days after deposit in the mail if mailed by United States mail, postage paid certified, return receipt requested:

If To: "Covenantor"
Beth Coffel
Donald Coffel
7808 Frances Drive
Alexandria, VA 22306-2820

If To: "County"
Alameda County Health Care Services Agency
Environmental Health Services
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

4.3 Partial Invalidity. If any portion of the Restrictions or terms set forth herein is determined to be invalid for any reason, the remaining portion shall remain in full force and effect as if such portion had not been included herein.

4.4 Article Headings. Headings at the beginning of each numbered article of this Covenant are solely for the convenience of the parties and are not a part of the Covenant.

4.5 Recordation. This instrument shall be executed by the Covenantor. This instrument shall be recorded by the Covenantor in the County of Alameda within ten (10) days of the date of execution.

4.6 References. All references to Code sections include successor provisions.
IN WITNESS WHEREOF, the parties execute this Covenant as of the date set forth above.

Covenantor: Beth and Donald Coffel

Beth Coffel
_____ Date

Donald Coffel
_____ Date

Agency: Alameda County Health Care Services Agency

By: _____

Title: _____

STATE OF CALIFORNIA)
)
COUNTY OF _____)

On _____, 2000 before me, the undersigned a Notary Public in and for said state, personally appeared [Covenantor], personally known to me or proved to me on the basis of satisfactory evidence to be the person who executed the within instrument.

WITNESS my hand and official seal.

Notary Public in and for said
County and State

Chu, Eva, Public Health, EHS

From: Jonathan W. Redding[SMTP:JRedding@wendel.com]
Sent: August 22, 2000 9:11 AM
To: 'Chu, Eva, Public Health, EHS'
Subject: RE: 2144 Alvarado

Hi Eva, I hope you had a wonderful time in Rome/Italy. I've been waiting for you to return, rather than trying to work with someone else regarding language of deed restriction/deed notice. Our clients have an offer to purchase the property from a plasterer (home repair/sheetrock type business). The Buyer wants to use the back portion of the property for the business and wants to rent the front residence to an employee (for rental income and, I presume security for his equip). Since there is no evidence of contamination in the front/residential portion of the property and there is absolutely no reason to suspect such contaminatin as pesticides would not have been stored, mixed, utilized or spilled in the residential portion, nor would equipment be washed there, if we have to have a deed notice/deed restriction, is there any reason why we couldn't divide the property for purposes of a deed notice: the front portion would be unrestricted and the back portion would be restricted. We could have the HMMP apply to the whole site, if that gave the county greater comfort. Please advise asap, as our clients don't want to lose this deal. If you concur in this approach, I'll work on the language. The only other issue is how to "divide" the property. Would we just get survey description/record with map? Or would we need a physical fence/divider? We'd of course, prefer the cheapest alternative. Thanks.

-----Original Message-----

From: Chu, Eva, Public Health, EHS [mailto:EChu@co.alameda.ca.us]
Sent: Tuesday, August 01, 2000 9:50 AM
To: 'Jonathan W. Redding'
Subject: RE: 2144 Alvarado

Ask Chris Noma about the language. I think our office is working with County Counsel on a "standard" form/language deed restriction for one of Chris' case.

> -----

> **From:** Jonathan W. Redding[SMTP:JRedding@wendel.com]
> **Sent:** August 01, 2000 9:43 AM
> **To:** 'Chu, Eva, Public Health, EHS'
> **Subject:** RE: 2144 Alvarado

>
> Thanks. I'll draft a short form Deed notice/deed restriction for your
> review when you return. My client has no objection to limiting use to
> commercial--as has been the case for over the past 15 years--as this is
> the
> highest and best use; and, properties on both sides are commercial. I'd
> suggest language something like , should the property be used again for
> residential purposes, (any suggestions?)

> -----Original Message-----

> **From:** Chu, Eva, Public Health, EHS [mailto:EChu@co.alameda.ca.us]
> **Sent:** Tuesday, August 01, 2000 9:42 AM
> **To:** 'Jonathan W. Redding'
> **Subject:** RE: 2144 Alvarado

>

>

> already done. you should be getting it any day now.

>

> > -----

> > **From:** Jonathan W. Redding[SMTP:JRedding@wendel.com]
> > **Sent:** August 01, 2000 9:39 AM

>> To: 'Chu, Eva, Public Health, EHS'
>> Subject: RE: 2144 Alvarado
>>
>> Please finalize letter with your change. Thanks.
>>
>> -----Original Message-----
>> From: Chu, Eva, Public Health, EHS [mailto:EChu@co.alameda.ca.us]
>> Sent: Friday, July 28, 2000 10:20 AM
>> To: 'jredding@wendel.com'
>> Subject: 2144 Alvarado
>>
>>

>> I added a sentence to the draft letter. See if the Coffels like it.
>>

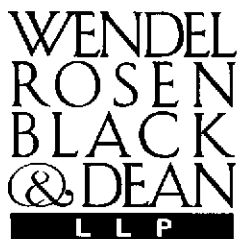
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Attorneys at Law

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Post Office Box 2047
Oakland, CA 94604-2047

Telephone: (510) 834-6600
Fax: (510) 834-1928
info@wendel.com

August 8, 2000

Ms. Eva Chu
Hazardous Materials Specialist
Alameda County Health Care Services Agency
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

Re: 2144 Alvarado St., San Leandro, CA

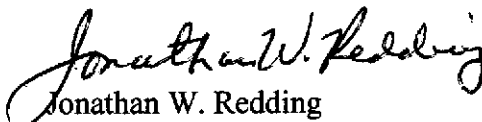
Dear Ms. Chu:

Please find enclosed the revised Errata Sheet to the June 2000 Remediation Report prepared by Stellar Environmental for the referenced property. Also enclosed is a check in the amount of \$500 to complete payment for review of the Plan.

Please let me know at your earliest if there are any further changes required.

Very truly yours,

WENDEL, ROSEN, BLACK & DEAN, LLP


Jonathan W. Redding

JWR:kel

Enclosures

cc: Don & Beth Coffel (w/encl.)
Deborah L. Livornese (w/encl.)

00 AUG - 9 PM 3:46
STELLAR ENVIRONMENTAL
PROTECTION

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



StID 6636

July 28, 2000

Mr. Donald Coffel
Mrs. Beth Coffel
7808 Frances Drive
Alexandria, VA 22306-2820

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

RE: RMP Approval for 2144 Alvarado Street, San Leandro, CA

Dear Mr. and Mrs. Coffel:

I have completed review of Stellar Environmental Solutions' July 2000 *Residual Risk Management Plan* prepared for the above referenced site. The risk management plan (RMP) was prepared to address residual contamination of shallow soil by organochlorine pesticides.

In October and December 1998, shallow soil samples were collected from the site. Elevated levels of organochlorine pesticides were identified in four locations (Area A through Area D). In July and August 1999, the four areas were excavated to the extent possible to removed pesticide-impacted soil. Confirmation soil samples were collected to determine if soil removal was effective in reducing the levels of contaminants to below the U.S. EPA's Preliminary Remediation Goals (PRGs) for residential use, the desired cleanup goal. Two areas (Area B and Area D) contained chlordane and/or heptachlor above the PRGs for residential use. However, the levels detected in the four areas were below the PRGs for commercial use. Under current use scenario, residual pesticides should not pose a risk to human health.

Currently the site is completely capped (with the exception of a small strip of dirt-area at the very eastern edge of the property). The RMP adequately addresses soil management and human health risk considerations in the event of future site development where the cap may be removed. However, the manner in which notification to new prospective buyers of the RMP has not been settled. The notification mechanism must be resolved before a no further action letter can be issued.

If you have any questions or comments, I can be reached at (510) 567-6762.

eva chu
Hazardous Materials Specialist

c: Jonathan Redding, Wendel, Rosen, Black & Dean, 1111 Broadway, 24th Floor,
Oakland, CA 94607-4036
Mike Bakaldin, San Leandro Fire Department (QIC Code 41401)

coffel-1

Chu, Eva, Public Health, EHS

From: Jonathan W. Redding[SMTP:JRedding@wendel.com]
Sent: July 27, 2000 3:29 PM
To: 'Chu, Eva, Public Health, EHS'
Subject: RE: 2144 Alvarado Street, San Leandro, CA

Eva-thanks for the draft letter and followup telephone call. My minor suggested insert is in the third paragraph. Please consider inserting a new sentence after the word "removal...." as follows (or similar language): "Under current usage and conditions, I agree with the conclusion in the RMP that there are no risks to users of this property, provided they adhere to the RMP." Then continue with " However,". Thanks for your consideration. Have a good time in Rome. Jonathan

-----Original Message-----

From: Chu, Eva, Public Health, EHS [mailto:EChu@co.alameda.ca.us]
Sent: Thursday, July 27, 2000 2:07 PM
To: 'Jonathan W. Redding'
Cc: Hugo, Susan, Public Health, EHS
Subject: RE: 2144 Alvarado Street, San Leandro, CA

It won't work, as I'll be on vacation from Aug 2 through 25. In the meantime, if you have any questions about the notification mechanism, please contact Susan Hugo at (510) 567-6780.

> -----
> **From:** Jonathan W. Redding[SMTP:JRedding@wendel.com]
> **Sent:** July 27, 2000 1:58 PM
> **To:** 'Chu, Eva, Public Health, EHS'
> **Subject:** RE: 2144 Alvarado Street, San Leandro, CA

>
> Eva, thanks. I'll discuss with the client and get back to you before the
> end of next week, with a request to finalize letter and/or minor edits.
> Will this work for you?

> -----Original Message-----

> **From:** Chu, Eva, Public Health, EHS [mailto:EChu@co.alameda.ca.us]
> **Sent:** Thursday, July 27, 2000 1:45 PM
> **To:** 'jredding@wendel.com'
> **Subject:** 2144 Alvarado Street, San Leandro, CA

>
> Here is a draft of the letter approving the RMP. By the way, the Coffel
> account is currently in a negative balance of \$250.00. Could you have
> another \$1,000 sent. I'm not sure how long or how easy before the no
> further action letter can be issued. If you need a formal letter, and I'm
> sure you do, please let me know. This is just a heads up.

> <<coffel-1.doc>>

>
> This email may contain confidential and privileged material
> for the sole use of the intended recipient. Any review or
> distribution by others is strictly prohibited. If you are not
> the intended recipient please contact the sender and delete
> all copies.

00 JUL 33 PM 3: 55

July 21, 2000

Mr. Jonathan Redding
Wendel, Rosen, Black & Dean
1111 Broadway, 12th Floor
Oakland, CA 94607

Subject: Errata Sheet for September 1999 Remediation Report
2144 Alvarado Street, San Leandro, California

Dear Mr. Redding:

This errata sheet summarizes recent revisions to the Stellar Environmental Solutions (SES) September 10, 1999 report summarizing soil remediation activities at the referenced site. These revisions were requested by the lead regulatory agency – Alameda County Health Care Services Agency – on July 5, 2000, following their review of the report (concurrent with their review of the July 2000 Residual Risk Management Plan). We have also taken this opportunity to revise references to the current usage of the property from commercial and residential, to commercial only, pursuant to our recent conversations with you regarding the Risk Management Plan. As you requested, we have provided you with three copies of the revised pages. We have provided the revised pages directly to Alameda County. Please note that these revisions do not affect the technical findings, conclusions or recommendations of our report.

<u>Report Page</u>	<u>Description of Revision</u>
Page 1, Site Description, 1 st sentence	Removed reference to “residence”
Page 3 (Figure 2)	Reversed title designations of Excavations B and C and deleted reference to “residence area” of main building
Page 10 – 2 nd and 3 rd paragraphs	Reversed references to Excavations B and C, and reversed text placement of the two paragraphs
Page 12 – 2 nd full paragraph, last sentence	Changed “Excavation C” to “Excavation B”

July 21, 2000

Mr. Jonathan Redding
Wendel, Rosen, Black & Dean
1111 Broadway, 12th Floor
Oakland, CA 94607

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2144 Alvarado Street, San Leandro, California

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Chu, Eva, Public Health, EHS

From: Roger Brewer[SMTP:Rdb@rb2.swrcb.ca.gov]
Sent: July 19, 2000 7:52 AM
To: EChu@co.alameda.ca.us
Subject: Chlordane

Hi Eva,

Just to recap our discussion yesterday, I had to deal with a lot of chlordane issues in Hawaii, where it is used to keep termites out of building foundations. If it's less than 3.1 mg/kg in surface soils (or around there), there's no need to require that it be capped if the property is used for industrial/commercial purposes (see Table A-2). If the top three feet of soil is less than 0.45 mg/kg and the deeper soil with higher chlordane concentrations is restricted to a really small area, the property could be probably used for residential purposes without restrictions (Table A-1).

The default depth for "surface soil " in the RBSL document is 15 feet but, as noted in the text, this can be reconsidered on a site-specific basis with respect to actual conditions (e.g., just a small area of contamination and all of it is greater than 3 feet below the ground surface). At some point a deed restriction to keep a cap on the site would be overkill.

Give me a call if you want to go over it further.

Roger

STELLAR ENVIRONMENTAL SOLUTIONS

2198 Sixth Street
Berkeley, CA 94710
Tel: (510) 644-3123
Fax: (510) 644-3859

fax

to: ***Eva Chu - Alameda County Health Care Services Agency***

fax #: ***510-337-9335***

from: ***Bruce Rucker***

date: ***7/17/00***

subject: ***Residual Risk Management Plan - San Leandro***

pages: ***3 (including this cover sheet)***

NOTES: **Eva-**

Here are the pages of the RRMP incorporating your requested edits. Please call when you have determined that this language is acceptable, then we will prepare and submit final copies.

5.0 OTHER SITE MANAGEMENT ISSUES

This section discusses other site management issues that are not directly human health-related. These include buyer notification, proper offsite soil disposal, and criteria for additional sampling and analysis.

BUYER NOTIFICATION

New ↑

In accordance with ACDEH requirements and real estate disclosure laws, potential buyers of the subject property must be notified of the residual soil contamination. The disclosure must contain information regarding the nature and extent of residual contamination, and must reference the various reports that contain the site-specific chemical data and associated potential human health risks. The disclosure must also specify that future property owners will be responsible for adhering to the tenets of this RRMP.

PROPER OFFSITE SOIL DISPOSAL

Future site activities could generate soil requiring offsite disposal, therefore excavation activities should be minimized. Excavated soils could contain pesticides at concentrations that require transport by and disposal at appropriately licensed and permitted firms. Following soil excavation and stockpiling of excess soil, if any, representative samples of the soil to be offhauled should be collected and analyzed for the constituents of concern. If the waste soil is deemed hazardous (by State of California or federal regulations), it can only be transported by a licensed hazardous waste hauler to a permitted hazardous waste facility. If the waste soil is contaminated at non-hazardous levels, it should only be disposed of or treated at a facility permitted to accept contaminated soil. Records of all waste sampling, analysis, transport, and disposal should be retained by the property owner.

CRITERIA FOR ADDITIONAL SAMPLING/ANALYSIS

The lead regulatory agency -- ACHCSA -- has stipulated that they require no additional sampling/analysis associated with any site redevelopment activities, as long as the site use remains non-residential. Additional sampling and analysis for pesticides will be required if both the following occur:

1. If site use changes to residential; and
2. If the impermeable cap over former excavation areas B or D (areas with residual pesticide concentrations above residential PRGs) is removed and not immediately replaced.

NEW

NEW
↑

If these areas are left unpaved and re-sampling and analysis indicate soil concentrations remain above residential PRGs, ACHCSA may require that the soil be tilled to reduce pesticide concentrations, or that the contaminated soil be removed.

6.0 CONTACT INFORMATION FOR RESPONSIBLE PARTIES

As of May 2000, contact information for site responsible parties includes:

Property Owner: Donald L. & Beth A. Coffel
7808 Frances Drive
Alexandria, VA 22306-2820

Regulatory Agencies

Alameda County Health Care Services Agency - Hazardous Materials Division
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502
Attention: Ms. Eva Chu
Telephone: (510) 567-6700

City of San Leandro Fire Prevention – Environmental Services Department
835 E. 14th Street
San Leandro, CA 94577
Attention: Mr. Karl Busche
Telephone: (510) 577-3316

7.0 REFERENCES

Howard, P.H., R.S. Boethling, W.F. Jarvis, W.M. Meylan, and E.M. Michalenko, 1991. Handbook of Environmental Degradation Rates, Lewis Publishers, 725 pp.

REF./ ACCT. # Dep Ref.

COUNTY OF ALAMEDA
OFFICE OF THE AUDITOR-CONTROLLER

MISCELLANEOUS RECEIPT No 847098

\$1000.00

One Thousand ~~_____~~ DOLLARS

CASH PERSONAL/CASHIER'S CHECK/M. O. # 52923 OTHER: _____

RECEIVED FROM: Wendel Rosen Black & Dean LLP P.O. Box 2047 Oakland 94604-2047

FOR: 2144 Alvarado Street San Leandro

DATE: 6/27/00 RECEIVED BY: Virginia C. Huijs DEPT. NO. 430-4510

110-1 (Rev 10/83) 0123E (08) Distribution: White - Payor Yellow & Pink - Depart.

WENDEL, ROSEN, BLACK & DEAN, LLP
ATTORNEYS AT LAW
P.O. BOX 2047
OAKLAND, CA 94604-2047

CIVIC BANK OF COMMERCE
2101 WEBSTER STREET
OAKLAND, CA 94612
90-4095/1211

52923

06/23/2000

PAY TO THE ORDER OF Alameda County Healthcare Services Agency

\$1000.00

One Thousand and 00/100

DOLLARS

Alameda County Healthcare Services Agency

MEMO _____

David Golden

⑈052923⑈ ⑆121140959⑆

⑆050238708⑈

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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

April 29, 1999

RMP samples

ATTN: Beth & Donald Coffel

Beth & Donald Coffel
2604 Londonderry Rd
Alexandria VA 22308

*Jonathan Redding
FAX 834-1928*

*Wendel Rosen -
1111 Broadway 24th fl -
Oak 94607*

RE: Project # 7344A - Type M
at 2144 Alvarado St in San Leandro 94577

Dear Property Owner/Designee:

Our records indicate the deposit/refund account for two projects, residential lead and tank removal, have fallen below the minimum deposit amount. To replenish the account, please submit an additional deposit of \$1,000.00, payable to Alameda County, Environmental Health Services.

We must receive this deposit so that future regulatory oversight on the subject site can proceed in a timely fashion. At the completion of this 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 this project will be debited at the Ordinance specified rate, currently \$100 per hour.

Please be sure to write the following on the check to identify your account:

- project #,
- type of project and
- site address

(see RE: line above).

If you have any questions, please contact Madhulla Logan at (510) 567-6764.

Sincerely,

Madhulla Logan

Madhulla Logan, HMS
Environmental Protection

c: ✓ files/inspector

C: Bruce Rucker, Stellar Environmental Solutions, 2110 Sixth Street, Berkeley, CA
94710

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



ENVIRONMENTAL HEALTH SERVICES

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

April 22, 1999

Donald and Beth Coffel
2604 Londonderry Rd
Alexandria, VA - 22308-2333

Ref: 2144 Alvarado Street, San Leandro, CA

Dear Mr and Ms. Coffel:

I am in receipt of the document "*Work plan for Contaminated Soil Remediation*" dated, April 13, 1999, prepared by Stellar Environmental Solutions for the above referenced site. Based on previous investigations conducted in October 1998 and April 1999 four areas on the site have been identified, where pesticides, namely chlordane, 4,4-DDD, and 4,4-DDT were found in concentrations above the preliminary remediation goals (PRGs). Based on this information, the referenced work plan has been proposed to excavate the areas with higher than PRG concentrations of pesticides.

This work plan is acceptable with the condition that the concentration of pesticides identified in the composite samples collected from the sidewalls of each excavation, should be less than the cleanup levels to qualify for a "no further action" condition. Cleanup levels for the composite sample would be PRG divided by the number of individual samples that made the composite (PRG/ no of individual samples in the composite). If higher than cleanup level concentrations are present in the composite samples, then the discrete samples may have to be analyzed and additional work may be required.

This Department needs to be notified prior to initiating field work. If you have any questions, you may reach me at (510 567-6764

Sincerely,

Madhulla Logan
Hazardous Material Specialist

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY
DAVID J. KEARS, Agency Director

ENVIRONMENTAL HEALTH SERVICES

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

March 23, 1999

Donald and Beth Coffel
2604 Londonderry Rd
Alexandria, VA - 22308-2333

Ref: 2144 Alvarado Street, San Leandro, CA

Dear Mr and Ms. Coffel:

I am in receipt of the workplan "Proposed Soil Investigation and Remediation", dated March 18, 1999 prepared by Stellar Environmental Solutions for the above referenced site. This Department has reviewed the workplan and finds it acceptable. Please be reminded that based on the results of this investigation, additional investigation/remediation may be required.

This Department has to be notified prior to initiating fieldwork. If you have any questions, you may reach me at (510) 567-6764.

Sincerely,

Madhulla Logan
Hazardous Material Specialist

C: Bruce Rucker - Stellar Environmental Solutions, 2110 Sixth Street, Berkeley, CA 94710

Donald & Beth Coffel

2604 Londonderry Rd
Alexandria, VA 22308-2333
Fax 780-0221
Home Phone 780-0221
(703)

ENVIRONMENTAL
PROTECTION

99 FEB -2 PM 3:49

January 30, 1999

Alameda County, Environmental Dept.
Attn: Robert Weston
1131 Harbor Bay Parkway, #250
Alameda, CA 94502-6577

RE: 2144 ALVARADO ST., SAN LEANDRO PROPERTY

Dear Mr. Robert Weston:

Enclosed you will find our check for \$500 in order to review the report furnished by Stellar Environmental Solutions on our behalf for the above referenced California property.

Sincerely,



Beth Coffel

City of San Leandro
Civic Center, 835 E. 14th Street
San Leandro, California 94577



Mr. Donald Coffel
2604 Londondery Road
Alexandria, VA 22308-2333

Dear Mr. Coffel:

Closure of Underground Storage Tank at 2144 Alvarado Street

This letter confirms the completion of underground storage tank closure activities for the former 1,000 gallon underground fuel storage tank at 2144 Alvarado Street. The underground storage tank was removed in 1990 without benefit of a permit and the required environmental sampling. In August of 1997, one soil boring was drilled at the approximate center of the former tank. Soil samples collected from the boring confirmed that the subsurface was not impacted by petroleum hydrocarbons.

Based on the information provided to this office no further action related to the former 1,000 gallon underground fuel storage tank is required. If you have any questions please call me at (510) 577-3331.

Sincerely,

Michael Bakaldin
Hazardous Materials Coordinator

Ellen M. Corbett, Mayor

City Council:
Joanne M. Lothrop;

Gordon A. Galvan;
Julian P. Polvorosa;

Bob Glaze;
Shelia Young;

Garry A. Loeffler;

City of San Leandro
Civic Center, 835 E. 14th Street
San Leandro, California 94577



September 26, 1997

Mr. Donald Coffel
2604 Londonderry Road
Alexandria, VA 22308-2333

Dear Mr. Coffel:

Request for Reimbursement

Attached is the letter that you had requested. No further work will be required in regard to your former tank.

Upon closing out your file I noticed that I had not requested a deposit to cover the City's oversight costs. Money is normally drawn from the deposit for actual time spent reviewing your consultant's reports, overseeing field activities, and preparing the closure letter. During the course of this project my staff incurred costs of \$180.00.

It has always been my policy to not delay projects over permit fees and charges, to minimize oversight costs, and to minimize the bureaucratic side of the oversight process. I hope that you found our services timely and reasonable.

Please send a check for \$180 to this office as soon as possible made payable to the City of San Leandro. If you have any questions, please call me at (510) 577-3331.

Sincerely,

Michael Bakaldin
Hazardous Materials Coordinator

*pd. \$180
10/21/97*

Ellen M. Corbett, Mayor

City Council:
Joanne M. Lothrop;

Gordon A. Galvan;
Julian P. Polvorosa;

Bob Glaze;
Shelia Young;

Garry A. Loeffler;



**CONSOLIDATED ENGINEERING
LABORATORIES**

August 12, 1997

Mr. Mike Bakaldin
City of San Leandro
Hazardous Materials Division
835 East 14th Street, Suite 200
San Leandro, California 94577

RECEIVED
AUG 12 1997

Approved
MB
8/13/97

Subject: **Workplan to Perform Environmental Sampling**
2144 Alvarado Street
San Leandro, California
CEL Project No. G11813

Dear Mr. Bakaldin:

In response to your request, Consolidated Engineering Laboratories (CEL) is pleased to submit the following workplan to perform environmental sampling at the above noted site.

Introduction

It is our understanding that in 1990, a 1,000 gallon underground storage tank (UST) was removed from the subject property. The tank was located approximately 5 feet below existing grade and contained gasoline and/or diesel fuel. Following the tank removal, the excavation was backfilled with native soil, and the ground surface was covered with a concrete slab.

Based on our conversation with Mr. Don Coffel, environmental sampling is required in order to satisfy case closure requirements with the City of San Leandro Hazardous Materials Division, which is the local UST oversight agency for this site.

Scope of Services

In general, the proposed environmental services for this project would include exploration and sampling of the subsurface soil, laboratory testing and preparation of a summary report.

The subsurface exploration would consist of a single exploratory boring in the vicinity of the previous UST to a depth of 20 feet. The boring would be advanced using a truck-mounted Geoprobe rig equipped with direct penetration technology (DPT) soil sampling equipment. DPT uses dry impact methods to drive boring tools into the subsurface soil without generating soil cuttings which require disposal. Based on a conversation with you, soil samples would be collected at depths of 10, 15 and 20 feet below existing grade. If free water is encountered in the boring, a groundwater sample would be collected using a "hydro-punch" type sampler. The boring would be sealed with neat cement grout. The samples would then be placed in a cooler for transport to the laboratory for testing.

The laboratory testing would consist of Total Petroleum Hydrocarbons (TPH) as gasoline, TPH as diesel and Benzene, Toluene, Ethylbenzene and Xylene (BTEX) for each of the samples collected.



**CONSOLIDATED ENGINEERING
LABORATORIES**

CEL Project No. G11813
August 12, 1997

It is our understanding that you wish to meet us at the project site on August 15, 1997, in order to observe the boring.

If you should have any questions please feel free to contact the undersigned.

Sincerely,
CONSOLIDATED ENGINEERING LABORATORIES

Robert G. Nixon
Project Geotechnical Engineer

Copies: 1 to Addressee

RN/WEP:tm

I:\users\tm\vepts\alvarado.wkp