Chan, Barney, Env. Health

From: Alex J Gallego [alex.gallego@juno.com]
Sent: Thursday, February 05, 2004 8:30 PM
To: barney.chan@acgov.org
Subject: Re: Closure Letter for OTAC

RO2597

Hi Barney,

Here are the answers to your questions:

1. The piezometers were installed on May 25, 2000.

2. Because the lithology of the site uniformly consisted of fill from the ground surface to 5 feet below the ground surface (BGS) and Merrit Sand below this depth, we drilled to 20 feet BGS and constructed the wells with blank PVC from the ground surface to 9.5 feet BGS and then screened from 9.5 feet BGS to 19.5 feet BGS. The filter pack was from 8.5 feet to 20.0 feet BGS. Atop the filter pack was 1.0 feet of bentonite above which was cement grout to the surface.

3. The piezometers were used only to monitor groundwater depth to determine if de-watering would be needed for the construction activities at the site. The elevations were never measured and the groundwater gradient was based on facilities in the vicinity of the site.

4. You are correct, the samples from the piezometers were analyzed only for lead.

The wells were destroyed by over drilling on January 17, 2001 under permit from the Alameda County Public Works Agency.

Feel free to call or email with further questions. We appreciate your assistance with the closure of this site. Thanks!

Alex

On Thu, 5 Feb 2004 14:03:25 -0800 "Chan, Barney, Env. Health" <barney.chan@acgov.org> writes:

> Alex:
> Thank you for all your information. I have a couple of additional
> questions, if you don't mind.
>
> 1. when were the piezometers installed?
> 2. how were they constructed? depth, screen interval.
> 3. were gw elevation measurements ever taken or gradient determined?
> or is
> gradient assumed?
> 4. these wells were only tested for lead, is that correct?
>
> Thanks
> Barney
>
> -----Original Message-----
> From: Alex J Gallego [mailto:alex.gallego@juno.com]
> Sent: Tuesday, February 03, 2004 7:21 PM
> To: barney.chan@acgov.org
> Subject: Closure Letter for OTAC
>
>
> Barney,
>
> Attached is the closure letter in Word and the attachments in PDF

> formats. This represents a complete narrative of the actions taken
> at
> the site for both the lead contaminated soils and the UST. Please
> feel
> free to call me if you have questions. What is your time frame for
> reviewing and taking action? Thanks!
>
> Alex Gallego
> Summit Environmental Consulting
> phone: (408) 483-4477
>
>

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 12, 2003

Mortenson Development
Ms. Amy Sporre
700 Meadow Lane North
Minneapolis, MN 55422-4899

Re: Deposit for 229 Castro St., Oakland, CA 94607

Dear Ms. Sporre:

Our office has received the November 21, 2003 Request for Tank Closure Letter Telecommunications Facility 229 Castro Street, Oakland CA from Mr. James Fey. Before our office can provide regulatory oversight, a deposit/refund account for our oversight tasks must be created. Please submit a deposit of $5000.00, payable to Alameda County Environmental Health Services.

It is expected that the amount requested will allow the project to be completed with a zero balance. Otherwise, additional deposit 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 $158.00 per hour.

Please write the following information on your check or cover letter.

- Type of project (Site mitigation) and RO0002597, and
- Site address (229 Castro St., Oakland, 94607)

If you have any questions, please contact me at (510) 567-6765.

Sincerely,

Barney M Chan

Barney M. Chan
Hazardous Materials Specialist

C: B. Chan, D. Drogos

Dep229CastroSt

State of California
CONTRACTORS STATE LICENSE BOARD
ACTIVE LICENSE

License Number 631610 Entity CORP

S.F. County

Business Name PEAK ENGINEERING INC

Classification(s) A C21 HIC

Expiration Date 11/30/2001

PORT OF OAKLAND

September 4, 2001

SEP 0 6 2001

Ms. Susan L. Hugo
Alameda County Health Care Services Agency
Department of Environmental Health
1131 Harbor Bay Parkway, 2nd Floor
Alameda, California 94502

Subject: **Risk Management Documentation Report, Telecommunications Facility 720 Second Street and 229 Castro Street, Oakland, CA (STID 6690)**

Dear Ms Hugo:

As you know the Port of Oakland and Mortenson Development Company were required to submit certain documents to the Alameda County Health Care Services Agency (ACHCSA) prior to and following completion of the Telecommunications Access Building located at Second and Castro Streets, Oakland. The studies and reports identified procedures to ensure proper disposal and reuse of site soils, and the protection of Human Health and the Environment both during construction and facility operation. In a letter addressed to the Port and Mortenson dated July 31, 2000, ACHCSA confirmed the receipt and review of the following documents:

- Conceptual Site Model and Risk Assessment (CSM/RA), dated July 31, 2000, prepared by Krazan and Assoc.
- Short Term Risk Management Plan (STRMP), dated July 31, 2000, prepared by Krazan and Assoc.
- Long Term Risk Management Plan (LTRMP), dated July 31, 2000, prepared by Krazan and Assoc.
- Health and Safety Plan for Soil Excavation and Construction, dated July 7, 2000, prepared by IHI Environmental, Inc.
- Storm Water Pollution Prevention Plan, dated July 10, 2000, prepared by Brian Kangas Foulk
- Site Development Plan, dated June 30, 2000

In addition to the reports listed above, it is the Port's understanding that an underground storage tank removal report was submitted to your office by Mortenson on January 31, 2001, and that a deed restriction for the property has been finalized and will be recorded sometime this week. Therefore, the only remaining report required to be submitted as identified in your letter of July 31, 2001, is the enclosed: "Risk Management Documentation, Oakland Telecommunication Access Building" dated August 2001. By submitting this document, the Port of Oakland asserts that it has fulfilled all of its obligations to the ACHCSA for this project as set forth in your letter of July 31, 2000.

530 Water Street ■ Jack London Square ■ P.O. Box 2064 ■ Oakland, California 94604-2064
Telephone (510) 272-1100 ■ Fax (510) 272-1172 ■ TDD (510) 763-5703 ■ Cable address, PORTOFOAK, Oakland

If you have any questions, please contact me at (510) 627-1184.

Sincerely,

Douglas P. Herman
Associate Port Environmental Scientist

Encl: Risk Management Documentation, Oakland Telecommunication Access Building, August 2001

Cc w/encl: Betty Graham, RWQCB
James Fey, James Fey Construction Management
Thomas Lander, Mortenson Development Company
Jonathan Redding, Wendel, Rosen, Black & Dean
Vivian O'Neal, Port
Marucia Britto, Port

Cc w/o encl: Jeff Jones
Yane Nordhav

C:\win\mydocs\projects\risk management final report

COUNTY COUNSEL
1221 Oak Street, Suite 463, Oakland, California 94612-4296
Telephone (510) 272-6700 Fax (510) 272-5020

RICHARD E. WINNIE
COUNTY COUNSEL

DOCUMENT TRANSMITTAL PAGE

DATE: July 16, 2001

TO: Susan Hugo

FROM: K. Murkland

SUBJECT: Mortensen

NUMBER OF PAGES (Including This Page): 5

COMMENTS:

Please review
and call me on
Tuesday.
Kmurk

KN

COX, CASTLE & NICHOLSON LLP

A Limited Liability Partnership Including Professional Corporations

LAWYERS
505 Montgomery Street
Twentieth Floor
San Francisco, California 94111-2585
Telephone (415) 296-9966
Facsimile (415) 397-1095
www.ccnlaw.com

Los Angeles Office
2049 Century Park East
Twenty-Eighth Floor
Los Angeles, California 90067-3284
Telephone (310) 277-4222
Facsimile (310) 277-7889

Orange County Office
19800 MacArthur Boulevard
Suite 600
Irvine, California 92612-2435
(949) 476-2111 • (310) 284-2187
Facsimile (949) 476-0256

STUART I. BLOCK
DIRECT DIAL
(415) 273-7043
E MAIL
sblock@ccnlaw.com

July 11, 2001

OUR FILE NO.
35770

VIA FACSIMILE AND U.S. MAIL

Krisida J. Nishioka, Esq.
Office of the County Counsel
County of Alameda
333 Hegenburger Road, Suite 400
Oakland, California 94621

Re: **Mortenson Development Company, Proposed Deed Restriction**
720 Second Street and 229 Castro Street, Oakland

Dear Ms. Nishioka:

Pursuant to our telephone conversation this afternoon, enclosed please find copies of: (1) the July 31, 2000 letter from Alameda County Health Care Services approving the characterization and planned use of the above property; (2) Table 4 from the Soil and Groundwater Investigation for the property prepared and submitted to the County in May 2000 by Krazan & Associates, Inc. ("Krazan"); and (3) Section 2.4 (Site Characterization) from the Long Term Risk Management Plan (LTRMP) for the property submitted and approved by the County in July 2000.

Items 2 and 3, above, demonstrate that contamination in groundwater was not a concern and was not detected at the property, with the exception of a single detection (MW-8) of low level petroleum-related compounds in the area of a former underground storage tank ("UST"). Krazan removed the UST in September 2000 and submitted an Underground Storage Tank Removal Report to the County in January 2001. At page 4-5, that Report states that groundwater samples immediately downgradient of the former UST did not contain detectable levels of petroleum-related compounds, including BTEX and fuel oxygenates. In addition, those pages confirm that none of the seven groundwater samples taken at the property in February 2000 contained detectable levels of volatile organic compounds, BTEX, or fuel oxygenates. Copies of the relevant pages are enclosed. All of this data is consistent with Mortenson's understanding throughout the investigation and redevelopment of the property that groundwater had not been significantly impacted by site activities and would not be part of the required deed restriction.

I will make the changes we discussed to the proposed form of deed restriction and seek approval by Mortenson of those changes. In addition, I appreciate your efforts to facilitate acceptance by the County of Mortenson's proposed text for Section 3.2 of the deed restriction regarding enforcement. The contractual right contained in the model form to require the Covenantor to remove improvements at the property (in this case a multimillion dollar telecommunications access facility) renders the model form virtually unusable for certain lenders and tenants. As we discussed, however, in both the County's model form and Mortenson's proposed Section 3.2, the County retains all rights and remedies available under law to enforce the deed restriction. Such remedies should be more than sufficient to protect the County's interests in enforcement.

As we discussed, I will call you tomorrow afternoon to follow up on each of these issues. Thank you again for your cooperation.

Sincerely,

Stuart I. Block

Enclosures

cc: Tom Lander, Mortenson
James Foy, Mortenon
Alex Gallego, Krazan

35770\19182v1

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)

July 31, 2000

Mr. Douglas Herman
Port of Oakland
530 Water Street
Oakland, California 94607

Mr. Tom Lander
Mortenson Development Company
2201 Geary Boulevard
San Francisco, California 94115

RE: Proposed Telecommunications Facility (STID 6690)
720 Second Street and 229 Castro Street, Oakland, California 94607

Dear Messrs. Herman and Lander:

The Alameda County Environmental Health Services (ACEHS) has reviewed the following reports submitted for the above subject site:

- Conceptual Site Model and Risk Assessment (CSM /RA) dated July 7, 2000, prepared by Krazan & Asso.
- Short Term Risk Management Plan (STRMP) dated July 11, 2000, prepared by Krazan & Asso
- Long Term Risk Management Plan (LTRMP) dated July 11, 2000, prepared by Krazan & Asso
- Health and Safety Plan, Soil Excavation and Construction dated July 7, 2000, prepared by IHI Environmental, Inc.
- Storm Water Pollution Prevention Plan dated July 10, 2000, prepared by Brian Kangas Foulk
- Site Development Plans dated June 30, 2000

On July 20, 2000, this agency met with Port of Oakland (Douglas Herman), Mortenson Development Co (Tom Lander and James Fey) and Baseline Environmental (Yane Nordhav) to discuss the various components of the risk management plans and issues of concern this agency has regarding the submitted reports for the site. Following the meeting, numerous correspondences by telephone conversations, faxes and e-mails took place between this office, Port of Oakland, Mortenson Development Co., Baseline Environmental and Krazan & Asso. and resulted in the submittal of the reports listed below:

- Conceptual Site Model and Risk Assessment dated July 31, 2000 prepared by Krazan and Asso.
- Short Term Risk Management Plan dated July 31, 2000 prepared by Krazan and Asso.
- Long Term Risk Management Plan dated July 31, 2000 prepared by Krazan and Asso.

This office has reviewed the above listed reports which addressed issues of concern this agency has regarding the subject site. Based on the information provided to this agency, it appears that the CSM/RA, STRMP and LTRMP comprehensively address the human health and environmental issues during construction and after completion of the planned development (commercial / office uses) of the subject site. However, prior to any construction activities at the site, a closure /removal plan for the reported underground storage tank found at the site must be submitted and approved by this office. In addition, a deed restriction must be recorded for the subject site which requires property owner/s complying with the approved RMP. The deed restriction should be recorded and a copy should be submitted to this agency prior to completion of site development and building occupancy.

It is my understanding that Port of Oakland and Mortenson Development Co. will ensure that the risk management plan will be implemented during redevelopment of the site.

Please notify this office when redevelopment begins and provide us with the schedule of the development at the site.

If you have any questions regarding this letter or the subject site, please contact me at (510) 567-6780.

Sincerely,

Susan L. Hugo
Hazardous Materials Specialist

c: Ariu Levi / Thomas Peacock, Environmental Health Services
Betty Graham, San Francisco Bay RWQCB
Leroy Griffin, Oakland Fire Services
YaneNordhav, Baseline Environmental, 5900 Hollis Street, Suite D, Emeryville, CA 94608
Alex Gallego, Krazan & Associates, Inc., 545 Parrott Street, San Jose, CA 95112
SH / files

Hugo, Susan, Env. Health

From: Nishioka, Krisida, County Counsel
Sent: Tuesday, June 26, 2001 9:58 AM
To: Hugo, Susan, Env. Health
Subject: RE: Deed Restrictions

I would be happy to speak with Stuart Block. Please give him my number 777 2222. I will also insist they use the standard form.

-----Original Message-----
From: Hugo, Susan, Env. Health
Sent: Tuesday, June 26, 2001 9:38 AM
To: Nishioka, Krisida, County Counsel
Cc: Levi, Ariu, Env. Health
Subject: RE: Deed Restrictions
Importance: High

Thanks Krishida.

I talked to Mortenson's attorney, Stuart Block. He requested if he can discuss the issue with you because they have a problem with the lender if the standard form deed restriction is to be used. I insisted that they use the standard form which they claim is very conservative.

Please advise.

.....
From: Nishioka, Krisida, County Counsel
Sent: Monday, June 25, 2001 2:41 PM
To: Hugo, Susan, Env. Health
Cc: Washington, Brian, County Counsel
Subject: RE: Deed Restrictions
Importance: High

Dear Susan,
I looked at the deed restrictions and they are unacceptable because they give up too many environmental protections and they fail to give sufficient notice to successor owners. I would not approve the deed restrictions sent by the attorneys for Mortenson Development company. They will need to use our normal deed restriction that is already approved.
Do you need anything further from me?
Krisida

-----Original Message-----
From: Hugo, Susan, Env. Health
Sent: Wednesday, June 20, 2001 12:57 PM
To: Nishioka, Krisida, County Counsel
Cc: Levi, Ariu, Env. Health
Subject: Deed Restrictions
Importance: High

Hi Krishida;

Our office is working on closing two site remediation cases which required deed restrictions. We have provided them with the standard deed restriction model which your office approved as to form. The responsible parties for both sites have submitted deed restrictions that have been modified by their legal counsel.

This redlined draft, generated by CompareRite (TM) - The Instant Redliner, shows the differences between -
original document : F:\SF01\DOCS\BSS4\AGR\NM8_01!.DOC
and revised document: F:\SF01\DOCS\BSS4\AGR\NNPR01!.DOC

CompareRite found 90 change(s) in the text
CompareRite found 4 change(s) in the notes

Deletions appear as Overstrike text
Additions appear as Double Underline text

Our office is requesting your review of the modified deed restrictions before Mee Ling sign them.

The legal counsels for both parties were instructed not to contact your office directly but one of them contacted Brian Washington in your office without our approval.

Can I forward these deed restrictions to you ?

The responsible parties would like to know the time frame as both properties are in the middle of property transfers.

Please let me know.

Thanks

Susan L. Hugo
Environmental Health Department
(510) 567-6780

Cox, Castle & Nicholson LLP

A LIMITED LIABILITY PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
LAWYERS
505 MONTGOMERY STREET • SUITE 1650 • SAN FRANCISCO, CALIFORNIA 94111
TELEPHONE: (415) 296-9966 • FAX: (415) 397-1095

FAX TRANSMITTAL SHEET

Date: January 8, 2001

From:	Stuart I. Block	**Direct Dial:**	(415) 273-7043
Secretary:	Paula D. Hendershott	**Secretary's Ext.:**	(415) 273-7047
File No.:	35770	**Total Pages (including cover sheet):**	9

[__] *URGENT* [__] *PLEASE REVIEW AND RESPOND*

Original will be sent via Mail

MESSAGE:

RECIPIENTS:

Name: Susan Hugo
Company: Alameda County Health Care Services Agency
Location: Alameda, CA
Fax No.: (510) 337-9335
Conf. No.: (510) 567-6780
Time sent: ___:___ [am] __ [pm] __ Sent by: _____

Name: Tom Lander
Company: M.A. Mortenson Company
Location: Minneapolis, MN
Fax No.: (763) 522-2278
Conf. No.: (763) 287-5487
Time sent: ___:___ [am] __ [pm] __ Sent by: _____

Name: James Fey
Company: Construction Management
Location: Oakland, CA
Fax No.: (510) 261-0392
Conf. No.: (510) 261-6622
Time sent: ___:___ [am] __ [pm] __ Sent by: _____

Name: Michael Margulies
Company: Lindquist & Vennum
Location: Minneapolis, MN
Fax No.: (612) 371-3207
Conf. No.: (612) 371-3903
Time sent: ___:___ [am] __ [pm] __ Sent by: _____

IF YOU DID NOT RECEIVE ALL PAGES, PLEASE ADVISE SENDER AS SOON AS POSSIBLE

COX, CASTLE & NICHOLSON LLP

A Limited Liability Partnership Including Professional Corporations
LAWYERS
505 Montgomery Street
Suite 1550
San Francisco, California 94111-2585
Telephone (415) 296-9966
Facsimile (415) 397-1095
www.ccnlaw.com

January 8, 2001

OUR FILE NO:
35770
WRITER'S DIRECT DIAL NUMBER
(415) 273-7043
WRITER'S E-MAIL ADDRESS
sblock@ccnlaw.com

VIA FACSIMILE AND U.S. MAIL

Ms. Susan Hugo
Hazardous Materials Specialist
Alameda County Health Care Services Agency
Environmental Health Services
1131 Harbor Bay Parkway, Suite 230
Alameda, CA 94502

Re: Covenant and Environmental Restriction on Property
720 Second Street and 229 Castro Street, Oakland, California

Dear Ms. Hugo:

As required by your letter dated July 31, 2000 to Messrs. Douglas Herman and Tom Lander, and following our recent telephone conversations on the issue, enclosed please find a proposed deed restriction for the property at 720 Second Street and 229 Castro Street, Oakland, California (the "Property"). The proposed deed restriction follows the form of deed restriction you provided on behalf of the County, modified to address the specific requirements of your July 31 letter and the unique conditions of the Property.

If the proposed deed restriction is acceptable to the County, please arrange for execution of the document by the County where indicated, and return the document to me in the enclosed envelope. I will arrange for execution and recording of the document by Mortenson.

If the County has questions or comments concerning the deed restriction, please contact me at (415) 273-7043. We appreciate your continued cooperation in this matter and look forward to hearing from you shortly.

Sincerely,

Stuart I. Block

SIB/pdh
Enclosures (1)
SIBLOCK/35770/17605v1
cc: Tom Lander
James Fey
Michael S. Marguiles, Esq.

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:
Mortenson Development Company
700 Meadow Lane North
Minneapolis, MN 55422

(Above Space for Recorder's Use Only)

Covenant and Environmental Restriction on Property
720 Second Street and 229 Castro Street, Oakland

This Covenant and Environmental Restriction on Property ("Covenant") dated January ___, 2000 is entered into by Mortenson Development Company ("Covenantor"), the fee owner of the real property commonly known as 720 Second Street and 229 Castro Street, Oakland, California, which is more particularly described in Exhibit A (the "Property"), for the benefit of the Alameda County Health Care Services Agency ("County"), with reference to the following facts:

A. Soil Conditions at the Property: Soil in certain locations at the Property contain detectable levels of contaminants, including lead and/or petroleum hydrocarbons, which constitute hazardous materials as that term is defined in California Health & Safety Code Section 25260. Such materials are present due to the historic import and use of fill material at the Property, and/or the historical operation of an underground petroleum storage tank at the Property.

B. Remediation Activities: Remediation has been conducted at the Property under the oversight of the County. Full and voluntary disclosure has been made to the County regarding the presence of such materials and extensive sampling of the Property has been conducted. Based on all available information, the County has determined that the Site presents no significant risk to human health or the environment based on its continued commercial, industrial, and or office use.

C. Exposure Pathways: Conceptual Site Model and Risk Assessment, Proposed Commercial Development, 720 Second Street & 229 Castro Street, Oakland California, July 31, 2000 prepared by Krazan & Associates, Inc. ("Krazan") and reviewed by the County (the "Site Model"), concludes that all potential exposure pathways to chemicals of concern at the Property (dermal contact, inhalation, and ingestion) are mitigated and/or eliminated by the remediation and/or institutional controls described in the Site Model and herein.

ARTICLE I
GENERAL PROVISIONS

1.1 Enforceable Covenant Running with the Land: This Covenant is an enforceable agreement pursuant to Civil Code Section 1471. All restrictions described herein are for the mutual benefit of the Property and shall run with the land pursuant to Civil Code Section 1471.

Such restrictions shall pass with each and every portion of the Property, and shall apply to, inure to the benefit of, and bind the respective successors in interest to the Property.

1.2 Concurrence of Owners and Lessees Presumed: All Owners and Occupants of the Property, or any portion thereof, shall be deemed by their purchase, lease, or possession, to be in accord with the terms of this Covenant and to agree for themselves, their successors, heirs, and assigns, including their agents and employees, that the Restrictions set forth herein must be adhered to for the benefit of the County and the present and future Owners and Occupants of the Property, and that the interests of the Owners and Occupants of the Property shall be subject to the Restrictions contained herein.

1.3 Incorporation into Deeds and Leases: A copy of this Covenant shall be attached to future deeds and leases of any portion of the Property; however, recordation of this Covenant shall make its terms binding on all Owners and Occupants regardless of whether a copy of the Covenant has been attached to a given deed or lease.

1.4 Apportionment Among Multiple Owners. Where ownership of the Property is held by several persons or entities, holding by several titles, any burdens imposed by this Covenant shall be apportioned among them proportionate to the value of the property held by each owner, if such value can be ascertained. If such value cannot be ascertained, the any burden shall be allocated according to their respective interests in point of quantity (Cal. Civ. Code Section 1467).

ARTICLE II
DEFINITIONS

2.1 "County" shall mean the Alameda County Health Care Services Agency and shall include its successor agencies, if any.

2.3 "Occupants" shall mean Owners, and those persons entitled by ownership, leasehold, or other legal relationship to the exclusive right to use and/or occupy all or any portion of the Property.

2.4 "Owner" or "Owners" shall mean the Covenantor and/or its successors in interest, who hold title to all or any portion of the Property.

2.5 The "Property" shall mean the real property located at and commonly known as 720 Second Street and 229 Castro Street, Oakland, California, which is more particularly described in Exhibit A

ARTICLE III
DEVELOPMENT AND USE OF THE PROPERTY

3.1. Restrictions on Development and Use ("Restrictions"): The Covenantor, and each successive Owner and Occupant, hereby covenants as follows:

a. no Owner or Occupant of the Property shall develop, occupy, or make use of the Property for any purpose other than industrial, commercial, or office space without first

demonstrating to the satisfaction of the County, or other appropriate regulatory agency, that the proposed use is consistent with environmental conditions at and beneath the Property;

b. all uses and/or development of the Property shall be consistent with the Long Term Risk Management Plan, Oakland Telecom Access Center, Second & Brush Street, Oakland, California, Krazan & Associates, Inc., July 10, 2000 ("RMP");

c. no Owner or Occupant of the Property shall conduct any excavation work at the Property in excess of two feet below ground surface without first providing three days prior written notice to the County. All such work, and any soil excavated from the Property, shall be managed in accordance with applicable laws and the terms of this Covenant; and

d. Owners shall notify the County of each of the following: (1) the type, cause, location, and date of any disturbance to any cap and/or any remedial measures taken at the Property likely to affect the effectiveness of such cap or remedial measures; and (2) the type and date of repair of such disturbance. Notice shall be provided to the County, in writing, within ten working day of the discovery of the disturbance and completion of the repairs.

3.2 Access and Enforcement: Upon written request to the Owner, the County, or any person acting pursuant to County orders, shall be granted reasonable access to the Property for the purpose of inspecting, maintaining, or monitoring any remedial measures at the Property. Violation of this Covenant shall be grounds for filing of a civil action as provided by law.

ARTICLE IV
VARIANCE AND TERMINATION

4.1 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 terms of this Covenant.

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

4.3 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

5.1 No Dedication Intended: Nothing in this Covenant is intended or shall be construed as a gift, dedication, easement or interest in the Property or any portion thereof, of any kind or type, to or for the benefit of the general public.

5.2 Notice: Any notice to the County required under this Covenant shall be provided to: Alameda County Health Care Services Agency, 1131 Harbor Parkway, Suite 250, Alameda, CA 94502, Attention: Agency Director. Any required notice to Covenantor shall be provided to

Mortenson Development Company, 700 Meadow Lane North, Minneapolis, MN 55422, Attention Tom Lander.

5.3 Partial Invalidity: If any portion of this Covenant is determined to be invalid for any reason, the remaining portions shall remain in full force and effect to the full extent permitted by law.

IN WITNESS WHEREOF, the parties execute this Covenant as of the date set forth above.

MORTENSON DEVELOPMENT COMPANY

_____

By: _____

Its: _____

Date: _____

ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY

_____

By: _____

Its: _____

Date: _____

SIBLOCK/35770/15950v4

EXHIBIT A

DESCRIPTION

CITY OF OAKLAND

PARCEL ONE:

LOTS 7 AND 8, BLOCK 24, AS SAID LOTS AND BLOCK ARE SHOWN ON KELLERSBERGER'S COMPLETE MAP OF OAKLAND, FILED JUNE 16, 1870, BOOK 1 OF MAPS, PAGE 21, IN THE OFFICE OF THE COUNTY RECORDER OF ALAMEDA COUNTY.

EXCEPTING AND RESERVING THEREFROM TO GRANTOR, ITS SUCCESSORS AND ASSIGNS FOREVER, ALL MINERALS, OIL AND GAS RIGHTS BELOW A DEPTH OF 500 FEET, WITHOUT RIGHT OF SURFACE ENTRY.

ASSESSOR'S PARCEL NO. 001-0117-001

PARCEL TWO:

LOTS 1 TO 6, INCLUSIVE, LOTS 9 TO 13, INCLUSIVE, AND LOTS 24 TO 28, INCLUSIVE, IN BLOCK 24, AS SAID LOTS AND BLOCK ARE SHOWN ON KELLERSBERGER'S COMPLETE MAP OF OAKLAND, FILED JUNE 16, 1870, IN BOOK 1 OF MAPS, PAGE 21, IN THE OFFICE OF THE COUNTY RECORDER OF ALAMEDA COUNTY.

ASSESSOR'S PARCEL NO. 001-0117-002

UNDERGROUND STORAGE TANK UNAUTHORIZED RELEASE (LEAK) / CONTAMINATION SITE REPORT

EMERGENCY: ☐ YES ☒ NO

HAS STATE OFFICE OF EMERGENCY SERVICES REPORT BEEN FILED ? ☐ YES ☒ NO

FOR LOCAL AGENCY USE ONLY
I HEREBY CERTIFY THAT I HAVE DISTRIBUTED THIS INFORMATION ACCORDING TO THE DISTRIBUTION SHOWN ON THE INSTRUCTION SHEET ON THE BACK PAGE OF THIS FORM.

SIGNED ______ DATE ______

REPORT DATE: 09 29 00 (M M D D Y Y)
CASE #:

REPORTED BY

NAME OF INDIVIDUAL FILING REPORT: ALEX GALLEGO
PHONE: (408) 271 2201
SIGNATURE: [signature]

REPRESENTING: ☒ OWNER/OPERATOR ☐ REGIONAL BOARD ☐ LOCAL AGENCY ☐ OTHER ______

COMPANY OR AGENCY NAME: KEATAN + ASSOCIATES INC.

ADDRESS: 545 PARFITT ST. (STREET) SAN JOSE (CITY) CA (STATE) 95112 (ZIP)

RESPONSIBLE PARTY

NAME: M.A. MORTENSON CO. ☐ UNKNOWN
CONTACT PERSON: JIM CALL
PHONE: (510) 625 0201

ADDRESS: 720 SECOND ST. (STREET) OAKLAND (CITY) CA (STATE) 94607 (ZIP)

SITE LOCATION

FACILITY NAME (IF APPLICABLE):
OPERATOR: M.A. MORTENSON CO.
PHONE: (510) 625 0201

ADDRESS: 720 SECOND STREET (STREET) OAKLAND (CITY) ALAMEDA (COUNTY) 94607 (ZIP)

CROSS STREET: BRUSH STREET

IMPLEMENTING AGENCIES

LOCAL AGENCY — AGENCY NAME: ALAMEDA COUNTY HEALTH CARE
CONTACT PERSON: SUSAN HUGO
PHONE: (510) 567 6780

REGIONAL BOARD:
PHONE: ( )

SUBSTANCES INVOLVED

	NAME	QUANTITY LOST (GALLONS)
(1)	GASOLINE	☒ UNKNOWN
(2)		☐ UNKNOWN

DISCOVERY/ABATEMENT

DATE DISCOVERED: 09 26 00 (M M D D Y Y)

HOW DISCOVERED: ☐ INVENTORY CONTROL ☐ SUBSURFACE MONITORING ☐ NUISANCE CONDITIONS ☐ TANK TEST ☒ TANK REMOVAL ☐ OTHER ______

DATE DISCHARGE BEGAN: M M D D Y Y ☒ UNKNOWN

METHOD USED TO STOP DISCHARGE (CHECK ALL THAT APPLY): ☒ REMOVE CONTENTS ☒ CLOSE TANK & REMOVE ☐ REPAIR PIPING ☐ REPAIR TANK ☐ CLOSE TANK & FILL IN PLACE ☐ CHANGE PROCEDURE ☐ REPLACE TANK ☐ OTHER ______

HAS DISCHARGE BEEN STOPPED ? ☒ YES ☐ NO IF YES, DATE 09 26 00 (M M D D Y Y)

SOURCE/CAUSE

SOURCE OF DISCHARGE: ☒ TANK LEAK ☐ UNKNOWN ☐ PIPING LEAK ☐ OTHER

CAUSE(S): ☐ OVERFILL ☐ RUPTURE/FAILURE ☐ SPILL ☒ CORROSION ☐ UNKNOWN ☐ OTHER ______

CASE TYPE

CHECK ONE ONLY: ☐ UNDETERMINED ☐ SOIL ONLY ☒ GROUNDWATER ☐ DRINKING WATER - (CHECK ONLY IF WATER WELLS HAVE ACTUALLY BEEN AFFECTED)

CURRENT STATUS

CHECK ONE ONLY:
☐ NO ACTION TAKEN ☐ PRELIMINARY SITE ASSESSMENT WORKPLAN SUBMITTED ☐ POLLUTION CHARACTERIZATION
☐ LEAK BEING CONFIRMED ☒ PRELIMINARY SITE ASSESSMENT UNDERWAY ☐ POST CLEANUP MONITORING IN PROGRESS
☐ REMEDIATION PLAN ☐ CASE CLOSED (CLEANUP COMPLETED OR UNNECESSARY) ☐ CLEANUP UNDERWAY

REMEDIAL ACTION

CHECK APPROPRIATE ACTION(S) (SEE BACK FOR DETAILS):
☐ CAP SITE (CD) ☒ EXCAVATE & DISPOSE (ED) ☐ REMOVE FREE PRODUCT (FP) ☐ ENHANCED BIO DEGRADATION (IT)
☐ CONTAINMENT BARRIER (CB) ☐ EXCAVATE & TREAT (ET) ☐ PUMP & TREAT GROUNDWATER (GT) ☐ REPLACE SUPPLY (RS)
☐ VACUUM EXTRACT (VE) ☐ NO ACTION REQUIRED (NA) ☐ TREATMENT AT HOOKUP (HU) ☐ VENT SOIL (VS)
☐ OTHER (OT) ______

COMMENTS

SOIL TPHg = 2300 ppm BENZENE = 12 ppm

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)

September 27, 2000

Mr. Douglas Herman
Port of Oakland
530 Water Street
Oakland, California 94607

RE: Proposed Telecommunication Facility
720 Second Street / 229 Castro Street Oakland, California 94607
Project #134A - Type M (STID # 6690)

Dear Mr. Herman:

Our records indicate the deposit / refund account for the above project has fallen below the minimum deposit amount. To replenish the account, please submit an additional deposit of $4,000.00 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 6.92.060 of the Alameda County Ordinance Code. Work on this project will be debited at the Ordinance specified rate, currently at $ 105 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 me at (510) 567-6780.

Sincerely,

Susan L. Hugo
Hazardous Materials Specialist

c: Ariu Levi /Thomas Peacock, Environmental Health Services
Tom Lander, Mortenson Development Co.- 2201 Geary Boulevard, San Francisco, CA 94115
SH / files

UNDERGROUND STORAGE TANK CLOSURE/REMOVAL
FIELD INSPECTION REPORT

STID 6696

Site Address::	229 CASTRO ST OAKLAND	Name of Facility:	MORTENSON PROPERTY
Inspector:	Susan Hugo	Contact on site:	Marvin Dozler
Date and Time of Arrival:	9/26/00 @ 1 PM	Contractor/Consultant:	Alex Gallego (KRAZAN)

General Requirements	Yes	No	N/A
Approved closure plan on site.	✓		
Changes to approved plan noted.	✓		
Residuals properly stored/transported.			
Receipt for adequate dry ice noted.			

General Requirements	Yes	No	N/A
Site Safety Plan properly signed.	✓		
40B:C fire extinguisher on site.	✓		
"No Smoking" signs posted.			
Gas detector challenged by inspector.			

Tank Observations	T #1	T #2	T #3	T #4
Tank Capacity (gallons)	600			
Material last stored	Gas			
Dry ice used (pounds)	100			
Combustible gas concentration as %LEL. *(Note time & sampling point)*				
(1)	20			
(2)				
(3)				
Oxygen concentration as % volume. *(Note time &sampling point.)*				
(1)	10			
(2)				
(3)				
Tank Material				
Wrapping/Coating, if any				
Obvious holes?				

Tank Observations	T #1	T #2	T #3	T #4
Obvious corrosion?	yes			
Obvious odors from tank?	yes			
Seams intact?				
Tank bed backfill material				
Obvious discoloration?	yes			
Obvious odors ex tank bed?	yes			
Water in excavation?	No			
Sheen/product on water?	No			
Tank tagged by transporter?	yes			
Tank wrapped for transport?	No			
Tank plugged w/ vent cap?	yes			
Date/time tank hauled off?				
No. of soil samples taken?	2			
Depth of soil samples (ft. bgs)	@ 9-10 ft.			

Piping Removal	Yes	No	N/A
All piping removed hauled off w/ tanks?	✓		
Obvious holes on pipes?		✓	
Obvious odors from pipes?		✓	
Obvious soil discoloration in piping trench?		✓	
Obvious odors from piping trench?		✓	
Water in piping trench?		✓	
Number & depth of soil samples from piping trench?		NA	
Number & depth of water samples from piping trench?		NA	

General Observations	Yes	No	N/A
Leak from any tank suspected?	✓		
"Leak Report" form given to the operator?	✓		
Obviously contaminated soil excavated?		✓	
Soil stockpile sampled?		✓	
Stockpile lined AND covered?			✓
Water in excavation sampled?			✓
Number/depth of water samples taken?	N/A		
All samples properly preserved for transport?	✓		

Additional Observations	Yes	No	N/A
Soil/water sampling protocols acceptable?	✓		
Sampling "chain of custody" noted?	✓		
Tank pit filled in or covered?			
Tank pit fenced or barricaded?			
Transporter a registered HW hauler?			
Uniform HW Manifest completed?			
Contractor/Consultant reminded of complete UST Removal Report due within 30 days?			
Date/Time removal/closure operations completed?			
OT hours or additional charges due from contractor?			

SITE & SAMPLING DIAGRAM

Entire site will be excavated to ± 5 ft bgs. Workplan for redevelopment approved by County.

Notes/Comments: Tank had holes on the side facing Third St. Product pumped fr. tank approx (30 gals per Krazan) & disposed properly. Disposal records to be included in closure report. Strong discoloration at tank excavation bottom. Oakland Fire (Steve Crawford) present for tank's inspection. Transfer to LOP program. ULR handed to Alex Gallego of Krazan. Entire site going thru redevelopment &

UST ClsrInspRpt.form (02/04/00)

UNIFIED PROGRAM CONSOLIDATED FORM

TANKS

UNDERGROUND STORAGE TANKS - TANK PAGE 1

(two pages per tank)

TYPE OF ACTION *(Check one item only)*
- ☐ 1. NEW SITE PERMIT
- ☐ 3. RENEWAL PERMIT
- ☐ 4. AMENDED PERMIT *(Specify reason - for local use only)*
- ☐ 5. CHANGE OF INFORMATION *(Specify change - for local use only)*
- ☐ 6. TEMPORARY SITE CLOSURE
- ☒ 7. PERMANENTLY CLOSED ON SITE
- ☐ 8. TANK REMOVED

430

BUSINESS NAME (Same as FACILITY NAME or DBA - doing Business As)
M. A. Mortenson Company

LOCATION WITHIN SITE *(Optional)* 431

I. TANK DESCRIPTION

TANK ID # 432	TANK MANUFACTURER 433	COMPARTMENTALIZED TANK ☐ Yes ☒ No 434 If "Yes," complete one page for each compartment.
	unknown	
DATE INSTALLED (YEAR/MO) 435	TANK CAPACITY IN GALLONS 436	NUMBER OF COMPARTMENTS 437
unknown	500 ±	1

ADDITIONAL DESCRIPTION *(For local use only)* 438

II. TANK CONTENTS

TANK USE
- ☒ 1. MOTOR VEHICLE FUEL *(If marked, complete Petroleum Type)*
- ☐ 2. NON-FUEL PETROLEUM
- ☐ 3. CHEMICAL PRODUCT
- ☐ 4. HAZARDOUS WASTE *(Includes Used Oil)*
- ☐ 95. UNKNOWN

PETROLEUM TYPE 440
- ☐ 1a. REGULAR UNLEADED
- ☐ 1b. PREMIUM UNLEADED
- ☐ 1c. MIDGRADE UNLEADED
- ☒ 2. LEADED
- ☐ 3. DIESEL
- ☐ 4. GASOHOL
- ☐ 5. JET FUEL
- ☐ 6. AVIATION FUEL
- ☐ 99. OTHER

COMMON NAME *(from Hazardous Materials Inventory page)* 441	CAS # *(from Hazardous Materials Inventory page)* 442

III. TANK CONSTRUCTION

TYPE OF TANK *(Check one item only)* 443
- ☐ 1. SINGLE WALL
- ☐ 2. DOUBLE WALL
- ☐ 3. SINGLE WALL WITH EXTERIOR MEMBRANE LINER
- ☐ 4. SINGLE WALL IN A VAULT
- ☐ 5. SINGLE WALL WITH INTERNAL BLADDER SYSTEM
- ☒ 95. UNKNOWN
- ☐ 99. OTHER

TANK MATERIAL - primary tank *(Check one item only)* 444
- ☒ 1. BARE STEEL
- ☐ 2. STAINLESS STEEL
- ☐ 3. FIBERGLASS / PLASTIC
- ☐ 4. STEEL CLAD W/FIBERGLASS REINFORCED PLASTIC (FRP)
- ☐ 5. CONCRETE
- ☐ 8. FRP COMPATIBLE W/100% METHANOL
- ☐ 95. UNKNOWN
- ☐ 99. OTHER

TANK MATERIAL - secondary tank *(Check one item only)* 445
- ☐ 1. BARE STEEL
- ☐ 2. STAINLESS STEEL
- ☐ 3. FIBERGLASS / PLASTIC
- ☐ 4. STEEL CLAD W/FIBERGLASS REINFORCED PLASTIC (FRP)
- ☐ 5. CONCRETE
- ☐ 8. FRP COMPATIBLE W/100% METHANOL
- ☐ 9. FRP NON-CORRODIBLE JACKET
- ☐ 10. COATED STEEL
- ☒ 95. UNKNOWN
- ☐ 99. OTHER

TANK INTERIOR LINING OR COATING *(Check one item only)* 446
- ☐ 1. RUBBER LINED
- ☐ 2. ALKYD LINING
- ☐ 3. EPOXY LINING
- ☐ 4. PHENOLIC LINING
- ☐ 5. GLASS LINING
- ☐ 6. UNLINED
- ☒ 95. UNKNOWN
- ☐ 99. OTHER

DATE INSTALLED 447 *(For local use only)*

OTHER CORROSION PROTECTION IF APPLICABLE *(Check one item only)* 448
- ☐ 1. MANUFACTURED CATHODIC PROTECTION
- ☐ 2. SACRIFICIAL ANODE
- ☐ 3. FIBERGLASS REINFORCED PLASTIC
- ☐ 4. IMPRESSED CURRENT
- ☒ 95. UNKNOWN
- ☐ 99. OTHER

DATE INSTALLED 449 *(For local use only)*

SPILL AND OVERFILL *(Check all that apply)* 450 451 452

	YEAR INSTALLED	TYPE *(For local use only)*
☐ 1. SPILL CONTAINMENT		
☐ 2. DROP TUBE		
☐ 3. STRIKER PLATE		

OVERFILL PROTECTION EQUIPMENT: YEAR INSTALLED
- ☐ 1. ALARM
- ☐ 2. BALL FLOAT
- ☐ 3. FILL TUBE SHUT OFF VALVE
- ☐ 4. EXEMPT

IV. TANK LEAK DETECTION

IF SINGLE WALL TANK *(Check all that apply)*: 453
- ☐ 1. VISUAL (EXPOSED PORTION ONLY)
- ☐ 2. AUTOMATIC TANK GAUGING (ATG)
- ☐ 3. CONTINUOUS ATG
- ☐ 4. STATISTICAL INVENTORY RECONCILIATION (SIR)+ BIENNIAL TANK TESTING
- ☐ 5. MANUAL TANK GAUGING (MTG)
- ☐ 6. VADOSE ZONE
- ☐ 7. GROUNDWATER
- ☐ 8 TANK TESTING
- ☒ 99. OTHER unknown

IF DOUBLE WALL TANK OR TANK WITH BLADDER *(Check one item only)*: 454
- ☐ 1. VISUAL (SINGLE WALL IN VAULT ONLY)
- ☐ 2. CONTINUOUS INTERSTITIAL MONITORING
- ☐ 3. MANUAL MONITORING

ESTIMATED DATE LAST USED (YR/MO/DAY) 455	ESTIMATED QUANTITY OF SUBSTANCE REMAINING 456	TANK FILLED WITH INERT MATERIAL? 457
unknown	unknown gallons	☐ Yes ☒ No

UNIFIED PROGRAM CONSOLIDATED FORM

TANKS

UNDERGROUND STORAGE TANKS - FACILITY

(one page per site)

TYPE OF ACTION *(Check one item only)*
☐ 1. NEW SITE PERMIT ☐ 3. RENEWAL PERMIT ☐ 4. AMENDED PERMIT ☐ 5. CHANGE OF INFORMATION *(Specify change - local use only)* _____ ☐ 6. TEMPORARY SITE CLOSURE ☒ 7. PERMANENTLY CLOSED SITE ☐ 8. TANK REMOVED 400

I. FACILITY / SITE INFORMATION

BUSINESS NAME (Same as FACILITY NAME or DBA - Doing Business As) 3: M. A. Mortenson Co.

FACILITY ID#:

NEAREST CROSS STREET 401: 3rd Street

BUSINESS TYPE 403: ☐ 1. GAS STATION ☐ 3. FARM ☐ 5. COMMERCIAL ☒ 2. DISTRIBUTOR ☐ 4. PROCESSOR ☐ 6. OTHER

FACILITY OWNER TYPE 402: ☒ 1. CORPORATION ☐ 2. INDIVIDUAL ☐ 3. PARTNERSHIP ☐ 4. LOCAL AGENCY/DISTRICT* ☐ 5. COUNTY AGENCY* ☐ 6. STATE AGENCY* ☐ 7. FEDERAL AGENCY*

TOTAL NUMBER OF TANKS REMAINING AT SITE 404: 1

Is facility on Indian Reservation or trustlands? 405: ☐ Yes ☒ No

*If owner of UST a public agency: a name of superivisor of division, section or office which operates the UST. (This is the contact person for the tank records.) 406:

II. PROPERTY OWNER INFORMATION

PROPERTY OWNER NAME 407: M. A. Mortenson Company

PHONE 408: 206-748-7837

MAILING OR STREET ADDRESS 409: 229 Castro Street

CITY 410: Oakland

STATE 411: Ca

ZIP CODE 412: 94607

PROPERTY OWNER TYPE 413: ☒ 1. CORPORATION ☐ 2. INDIVIDUAL ☐ 3. PARTNERSHIP ☐ 4. LOCAL AGENCY / DISTRICT ☐ 5. COUNTY AGENCY ☐ 6. STATE AGENCY ☐ 7. FEDERAL AGENCY

III. TANK OWNER INFORMATION

TANK OWNER NAME 414: M. A. Mortenson Company

PHONE 415: 206-748-7837

MAILING OR STREET ADDRESS 416: 700 Meadow Lane North

CITY 417: Minneapolis

STATE 418: MN

ZIP CODE 419: 55422

TANK OWNER TYPE 420: ☒ 1. CORPORATION ☐ 2. INDIVIDUAL ☐ 3. PARTNERSHIP ☐ 4. LOCAL AGENCY / DISTRICT ☐ 5. COUNTY AGENCY ☐ 6. STATE AGENCY ☐ 7. FEDERAL AGENCY

IV. BOARD OF EQUALIZATION UST STORAGE FEE ACCOUNT NUMBER

421

TY (TK) HQ | 4 | 4 | - | | | | | | | | Call (916) 322-9669 if questions arise

V. PETROLEUM UST FINANCIAL RESPONSIBILITY

INDICATE METHOD(S) 422: ☒ 1. SELF INSURED ☐ 2. GUARANTEE ☐ 3. INSURANCE ☐ 4. SURETY BOND ☐ 5. LETTER OF CREDIT ☐ 6. EXEMPTION ☐ 7. STATE FUND ☐ 7. STATE FUND & CFO LETTER ☐ 7. STATE FUND & CD ☐ 10. LOCAL GOV'T MECHANISM ☐ 99. OTHER: _____

VI. LEGAL NOTIFICATION AND MAILING ADDRESS

Check one box to indicate which address should be used for legal notification and mailing. Legal notifications and mailings will be sent to the tank owner unless box 1 or 2 is checked. 423: ☐ 1. FACILITY ☐ 2. PROPERTY OWNER ☒ 3. TANK OWNER

VII. APPLICANT SIGNATURE

Certification: I certify that the information provided herein is true and accurate to the best of my knowledge.

SIGNATURE OF APPLICANT: Jim Call

DATE 414: 9/18/00

PHONE 425: (510) - 625-0201

NAME OF APPLICANT *(print)* 426: JIM CALL

TITLE OF APPLICANT 427: Project Manager

STATE UST FACILITY NUMBER *(For local use only)* 428:

1998 UPGRADE CERTIFICATE NUMBER *(For local use only)* 429:

UNIFIED PROGRAM CONSOLIDATED FORM

UNDERGROUND STORAGE TANKS - TANK PAGE 2

TANKS

VI. PIPING CONSTRUCTION (Check all that apply)

	UNDERGROUND PIPING	ABOVEGROUND PIPING
SYTEM TYPE	☐ 1. PRESSURE ☒ 2. SUCTION ☐ 3.GRAVITY. 458	☐ 1. PRESSURE ☐ 2. SUCTION ☐ 3.GRAVITY. 459
CONSTRUCTION/ MANUFACTURER	☐ 1. SINGLE WALL ☐ 3. LINED TRENCH ☐ 99. OTHER 460 ☐ 2. DOUBLE WALL ☒ 95. UNKNOWN MANUFACTURER _____ 461	☐ 1. SINGLE WALL ☐ 95. UNKNOWN 462 ☐ 2. DOUBLE WALL ☐ 99. OTHER MANUFACTURER _____ 463
MATERIALS AND CORROSION PROTECTION	☐ 1. BARE STEEL ☐ 6. FRP COMPATIBLE W/100% METHANOL ☐ 2. STAINLESS STEEL ☐ 7. GALVANIZED STEEL ☐ 3. PLASTIC COMPATIBLE WITH CONTENTS ☒ 95. UNKNOWN. ☐ 4. FIBERGLASS ☐ 8. FLEXIBLE (HDPE) ☐ 99. OTHER ☐ 5. STEEL W/COATING ☐ 9. CATHODIC PROTECTION 464	☐ 1. BARE STEEL ☐ 6. FRP COMPATIBLE W/100% METHANOL ☐ 2. STAINLESS STEEL ☐ 7. GALVANIZED STEEL ☐ 3. PLASTIC COMPATIBLE WITH CONTENTS ☐ 8. FLEXIBLE (HDPE) ☐ 4. FIBERGLASS ☐ 9. CATHODIC PROTECTION ☐ 99. OTHER ☐ 5. STEEL W/COATING ☐ 95. UNKNOWN 465

VII. PIPING LEAK DETECTION (Check all that apply)

UNDERGROUND PIPING

SINGLE WALL PIPING 466

PRESSURIZED PIPING *(Check all that apply)*:

☐ 1. ELECTRONIC LINE LEAK DETECTOR 3.0 GPH TEST WITH AUTO PUMP SHUT OFF FOR LEAK, SYSTEM FAILURE, AND SYSTEM DISCONNECTION + AUDIBLE AND VISUAL ALARMS

☐ 2. MONTHLY 0.2 GPH TEST

☐ 3. ANNUAL INTEGRITY TEST (0.1 GPH)

CONVENTIONAL SUCTION SYSTEMS:

☐ 5. DAILY VISUAL MONITORING OF PUMPING SYSTEM + TRIENNIAL PIPING INTEGRITY TEST (0.1 GPH)

SAFE SUCTION SYSTEMS (NO VALVES IN BELOW GROUND PIPING):

☐ 7. SELF MONITORING

GRAVITY FLOW:

☐ 9. BIENNIAL INTEGRITY TEST (0.1 GPH)

SECONDARILY CONTAINED PIPING

PRESSURIZED PIPING *(Check all that apply)*:

10. CONTINUOUS TURBINE SUMP SENSOR WITH AUDIBLE AND VISUAL ALARMS AND (Check one)
- ☐ a. AUTO PUMP SHUT OFF WHEN A LEAK OCCURS
- ☐ b. AUTO PUMP SHUT OFF FOR LEAKS, SYSTEM FAILURE AND SYSTEM DISCONNECTION
- ☐ c. NO AUTO PUMP SHUT OFF

☐ 11. AUTOMATIC LINE LEAK DETECTOR (3.0 GPH TEST) WITH FLOW SHUT OFF OR RESTRICTION

☐ 12. ANNUAL INTEGRITY TEST (0.1GPH)

SUCTION/GRAVITY SYSTEM:

☐ 13. CONTINUOUS SUMP SENSOR + AUDIBLE AND VISUAL ALARMS

EMERGENCY GENERATORS ONLY *(Check all that apply)*

☐ 14. CONTINUOUS SUMP SENSOR WITHOUT AUTO PUMP SHUT OFF + AUDIBLE AND VISUAL ALARMS

☐ 15. AUTOMATIC LINE LEAK DETECTOR (3.0 GPH TEST) WITHOUT FLOW SHUT OFF OR RESTRICTION

☐ 16. ANNUAL INTEGRITY TEST (0.1 GPH)

☐ 17. DAILY VISUAL CHECK

ABOVEGROUND PIPING

SINGLE WALL PIPING 467

PRESSURIZED PIPING *(Check all that apply)*:

☐ 1. ELECTRONIC LINE LEAK DETECTOR 3.0 GPH TEST WITH AUTO PUMP SHUT OFF FOR LEAK, SYSTEM FAILURE, AND SYSTEM DISCONNECTION + AUDIBLE AND VISUAL ALARMS

☐ 2. MONTHLY 0.2 GPH TEST

☐ 3. ANNUAL INTEGRITY TEST (0.1 GPH)

☐ 4. DAILY VISUAL CHECK

CONVENTIONAL SUCTION SYSTEMS *(Check all that apply)*:

☐ 5. DAILY VISUAL MONITORING OF PIPING AND PUMPING SYSTEM

☐ 6. TRIENNIAL INTEGRITY TEST (0.1 GPH)

SAFE SUCTION SYTEMS (NO VALVES IN BELOW GROUND PIPING):

☐ 7. SELF MONITORING

GRAVITY FLOW *(Check all that apply)*:

☐ 8. DAILY VISUAL MONITORING

☐ 9. BIENNIAL INTEGRITY TEST (0.1 GPH)

SECONDARILY CONTAINED PIPING

PRESSURIZED PIPING *(Check all that apply)*:

10. CONTINUOUS TURBINE SUMP SENSOR WITH AUDIBLE AND VISUAL ALARMS AND (Check one)
- ☐ a. AUTO PUMP SHUT OFF WHEN A LEAK OCCURS
- ☐ b. AUTO PUMP SHUT OFF FOR LEAKS, SYSTEM FAILURE AND SYSTEM DISCONNECTION
- ☐ c. NO AUTO PUMP SHUT OFF

☐ 11. AUTOMATIC LEAK DETECTOR

☐ 12. ANNUAL INTEGRITY TEST (0.1 GPH)

SUCTION / GRAVITY SYSTEM:

☐ 13. CONTINUOUS SUMP SENSOR + AUDIBLE AND VISUAL ALARMS

EMERGENCY GENERATORS ONLY *(Check all that apply)*

☐ 14. CONTINUOUS SUMP SENSOR WITHOUT AUTO PUMP SHUT OFF + AUDIBLE AND VISUAL ALARMS

☐ 15. AUTOMATIC LINE LEAK DETECTOR (3.0 GPH TEST)

☐ 16. ANNUAL INTEGRITY TEST (0.1 GPH)

☐ 17. DAILY VISUAL CHECK

VIII. DISPENSER CONTAINMENT

DISPENSER CONTAINMENT DATE INSTALLED 468 _____

☐ 1. FLOAT MECHANISM THAT SHUTS OFF SHEAR VALVE

☐ 2. CONTINUOUS DISPENSER PAN SENSOR + AUDIBLE AND VISUAL ALARMS

☐ 3. CONTINUOUS DISPENSER PAN SENSOR WITH AUTO SHUT OFF FOR DISPENSER + AUDIBLE AND VISUAL ALARMS

☐ 4. DAILY VISUAL CHECK

☐ 5. TRENCH LINER / MONITORING

☒ 6. NONE 469

OWNER / OPERATOR SIGNATURE

I certify that the information provided herein is true and accurate to the best of my knowledge.

SIGNATURE OF OWNER / OPERATOR	DATE 470
NAME OF OWNER / OPERATOR *(print)* 471	TITLE OF OWNER / OPERATOR 472
JIM CALL	Project Manager

Permit Number *(For local use only)* 473	Permit Approved *(For local use only)* 474	Permit Expiration Date *(For local use only)* 475

MORTENSON

Oakland Telecom Access Ctr.
720 Second Street
Oakland, Ca. 94607
Fax: (510)-625-0443

Date:_____

FAX

Fax: 510.337.9335
Phone ~~Fax~~: 510.567.6780

From: Marvin Doster
To: Susan Hugo
Job No.: #003501
Company: Alameda County
Re: Oakland Telecon Access Center
Pages:_____
cc:_____

(Urgent) **For Review** **Please Reply** (Per Your Request) **FYI**

Comments: **Original to follow in mail**____

1) Federal EPA # 002279465
2) Attached is Hazardous Waste Transporter Registration Certificate for the Subcontractor performing the tank removal.
3) Please call 206.406.7401 or # below if you have any questions.

If you do not receive the correct number of pages, please contact the sender as soon as possible at (510)-625-0201.

Thank You! Marvin Doster

Department of Toxic Substances Control

Edwin F. Lowry, Director
400 P Street, 4th Floor, P.O. Box 806
Sacramento, California 95812-0806

Winston H. Hickox
Agency Secretary
California Environmental
Protection Agency

Gray Davis
Governor

HAZARDOUS WASTE TRANSPORTER REGISTRATION

NAME AND ADDRESS OF REGISTERED TRANSPORTER:

Fuller Excavating & Demolition, Inc.
3283 Luyung Drive
Rancho Cordova, California 95742

TRANSPORTER REGISTRATION NO: 2264

EXPIRATION DATE: February 28, 2001

THIS IS TO CERTIFY THAT THE FIRM NAMED ABOVE IS DULY REGISTERED TO TRANSPORT HAZARDOUS WASTE IN THE STATE OF CALIFORNIA IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 6.5, DIVISION 20 OF THE HEALTH AND SAFETY CODE AND TITLE 22 OF THE CALIFORNIA CODE OF REGULATIONS, DIVISION 4.5.

THIS REGISTRATION CERTIFICATE MUST BE CARRIED WITH EACH SHIPMENT OF HAZARDOUS WASTE.

FOR REGISTRATION INFORMATION, PLEASE CONTACT MS. TARI PATTERSON AT (916) 323-3219.

Susan Jean Toney
(AUTHORIZED SIGNATURE)

DEC 2 4 1999
(DATE)

Rec'd 9/20/02

need copy of Haz Waste Certification

STID 6696

ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY
ENVIRONMENTAL HEALTH SERVICES
1131 HARBOR BAY PARKWAY, RM 250
ALAMEDA, CA 94502-6577
PHONE # 510/567-6700

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 Inspection 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 [illegible] 9/27/02

My copy

O2 = 11
LEL = 25%

UNDERGROUND TANK CLOSURE PLAN

* * * Complete plan according to attached instructions * * *

manifest# 9963568

1. Name of Business M. A. Mortenson Company
   Business Owner or Contact Person (PRINT) Mr. Marvin Doster
2. Site Address 229 Castro Street
   City Oakland Zip 94607 Phone ____
3. Mailing Address 108 First Avenue South
   City Seattle, WA Zip 98104 Phone 206-748-7837
4. Property Owner M. A. Mortenson Company
   Business Name (if applicable) N/A
   Address 700 Meadow Lane North
   City, State Minneapolis, MN. Zip 55422
5. Generator name under which tank will be manifested
   M. A. Mortenson Company
   EPA ID# under which tank will be manifested C [illegible] 0 0 2 2 7 9 4 6 5 _ [illegible]

rev. 11/01/96
ust closure plan

PEAK ENGR INC # A 021 HIC

6. Contractor M. A. Mortenson Company

Address 720 Second Street

City Oakland, Ca. 94607 Phone 510-625-0201

License Type A, B, C General ID# 411701

7. Consultant (if applicable) Krazan & Associates, Inc.

Address 545 Parrott Street

City, State San Jose, Ca. 95112 Phone 408-271-2200

8. Main Contact Person for Investigation (if applicable)

Name Alex Gallego Title Division Manager

Company Krazan & Associates, Inc.

Phone 408-271-2200

9. Number of underground tanks being closed with this plan 1

Length of piping being removed under this plan unknown

Total number of underground tanks at this facility (**confirmed with owner or operator) 1

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

**** Underground storage tanks must be handled as hazardous waste ****

a) Product/Residual Sludge/Rinsate Transporter

Name Ecology Control Industries EPA I.D. No. CAD 982030173

Hauler License No. 1533 License Exp. Date 3-01

Address 255 Parr Blvd.

City Richmond State Ca. Zip 94801

b) Product/Residual Sludge/Rinsate Disposal Site

Name N/A EPA ID# _____

Address _____

City _____ State _____ Zip _____

c) Tank and Piping Transporter FULLER EXCAVATION

Name ~~N/A~~ ECI EPA I.D. No. (CAD) 980930173

Hauler License No. ~~1533~~ 1264 License Exp. Date 3-01

Address ~~255 PARR Blvd~~ 3283 Luyung Dr.

City ~~Richmond~~ Rancho Cordova State ~~CA~~ Zip ~~94801~~ 95742

d) Tank and Piping Disposal Site

Name Ecology Control Industries EPA I.D. No. CAD 009466392

Address 255 Parr Blvd.

City Richmond State Ca. Zip 94801

11. Sample Collector

Name Alex Gallego

Company Krazan & Associates, Inc.

Address 545 Parrott Street

City San Jose State Ca Zip 95112 Phone 408-271-2200

12. Laboratory

Name Entela Analytical Labs, Inc.

Address 525 Del Rey Avenue, Ste. E.

City Sunnyvale State Ca. Zip 94086

State Certification No. CA Elap # 2346

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

If yes, describe. Soil and Groundwater samples collected adjacent to tank contain gasoline compounds.

14. Describe methods to be used for rendering tank(s) inert:

Dry Ice

Before tanks are pumped out and inerted, all associated piping must be flushed back into the tank(s). All accessible piping must then be removed. Inaccessible piping must be permanently plugged using grout.

The Bay Area Air Quality Management District, 415/771-6000, along with local Fire and Building Departments, must also be contacted for tank removal permits. Fire departments typically require the use of a combustible gas indicator to verify tank inertness. **It is the contractor's responsibility to have a functional combustible gas indicator on-site to verify that the tank(s) is inerted.**

15. Tank History and Sampling Information *** **(see instructions)** ***

Tank		Material to be sampled (tank contents, soil, groundwater)	Location and Depth of Samples
Capacity	Use History include date last used (estimated)		
500 gal ±	unknown	Soil - Groundwater	Sidewalls (6') Tank Pit.

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

Excavated/Stockpiled Soil	
Stockpiled Soil Volume (estimated) Unknown Stockpiled soil must be characterized & properly disposed. Any reuse of soil must have approval from County.	Sampling Plan

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

Will the excavated soil be returned to the excavation immediately after tank removal? [ ] yes [ ] no [X] unknown

If yes, explain reasoning _____

_____

If unknown at this point in time, please be aware that **excavated soil may not be returned to the excavation without prior approval from this office. This means that the contractor, consultant, or responsible party must communicate with the Specialist IN ADVANCE of backfilling activities.**

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.

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

Contaminant Sought	EPA or Other Sample Preparation Method Number	EPA or Other Analysis Method Number	Method Detection Limit
~~TPH motor oil~~			SOIL WATER
TPH Gas	8015 M		1ppm 50ppb
TPH diesel	8020		
BTEX			5ppb 0.5ppb
~~TEL~~	~~DHS LUFT~~		
MTBE			0.5ppm 0.1 ppm
Chlorinated Solvents			
Semi VOCs			
Metals - Cd	Cr. Pb, Zn Ni		

18. Submit Worker's Compensation Certificate copy

Name of Insurer X Willis Corroon Corp. of Minnesota

19. Submit Plot Plan ***(See Instructions)***

20. Enclose Deposit (See Instructions)

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

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

23. Submit State (Underground Storage Tank Permit Application) Forms A and B (one-B form for each UST to be removed) (mark box 8 for "tank removed" in the upper right hand corner)

I declare that to the best of my knowledge and belief that 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 approval from the Environmental Protection Division 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.

CONTRACTOR INFORMATION

Name of Business M. A. Mortenson Company

Name of Individual JIM CALL

Signature J E Call Date 9/18/00

PROPERTY OWNER OR MOST RECENT TANK OPERATOR (Circle one)

Name of Business M. A. Mortenson Company

Name of Individual Jim Call

Signature J E Call Date 9/18/00

INSTRUCTIONS

General Instructions

* Three (3) copies of this plan plus attachments and a deposit must be submitted to this Department.

* Any cutting into tanks requires local fire department approval.

* One complete copy of your approved plan must be at the construction site at all times; a copy of your approved plan must also be sent to the landowner.

* State of California Permit Application Forms A and B are to be submitted to this office. One Form A per site, one Form B for each removed tank.

Line Item Specific Instructions

2. SITE ADDRESS
Address at which closure is taking place.

5. EPA I.D. NO. under which the tanks will be manifested
EPA I.D. numbers may be obtained from the State Department of Toxic Substances Control, 916/324-1781.

6. CONTRACTOR
Prime contractor for the project.

10. STATE REGISTERED HAZARDOUS WASTE TRANSPORTERS/FACILITIES

a) All residual liquids and sludges are to be removed from tanks before tanks are inerted.

c) Tanks must be hauled as hazardous waste.

d) This is the place where tanks will be taken for cleaning.

15. TANK HISTORY AND SAMPLING INFORMATION
Use History - This information is essential and must be accurate. Include tank installation date, products stored in the tank, **and the date when the tank was last used.**

Material to be sampled - e.g. water, oil, sludge, soil, etc.

Location and depth of samples - e.g. beneath the tank a maximum of two feet below the native soil/backfill interface, side wall at the high water mark, etc.

16. CHEMICAL METHODS AND ASSOCIATED DETECTION LIMITS
See attached Table 2.

17. SITE HEALTH AND SAFETY PLAN
A site specific Health and Safety plan must be submitted. We advocate the site health and safety plan include the following items, at a minimum:

a) The name and responsibilities of the site health and safety officer;

b) An outline of briefings to be held before work each day to appraise employees of site health and safety hazards;

c) Identification of health and safety hazards of each work task. Include potential fire, explosion, physical, and chemical hazards;

d) For each hazard, identify the action levels (contaminant concentrations in air) or physical conditions which will trigger changes in work habits to ensure workers are not exposed to unsafe chemical levels or physical conditions;

e) Description of the work habit changes triggered by the above action levels or physical conditions;

f) Frequency and types of air and personnel monitoring - along with the environmental sampling techniques and instrumentation - to be used to detect the above action levels. Include instrumentation maintenance and calibration methods and frequencies;

g) Confined space entry procedures (if applicable);

h) Decontamination procedures;

i) Measures to be taken to secure the site, excavation and stockpiled soil during and after work hours (e.g. barricades, caution tape, fencing, trench plates, plastic sheeting, security guards, etc.);

j) Spill containment/emergency/contingency plan. Be sure to include emergency phone numbers, the location of the phone nearest the site, and directions to the hospital nearest the site;

k) Documentation that all site workers have received the appropriate OSHA approved trainings and participate in appropriate medical surveillance per 29 CFR 1910.120; and

l) A page for employees to sign acknowledging that they have read and will comply with the site health and safety plan.

The safety plan must be distributed to all employees and contractors working in hazardous waste operations on site. **A complete copy of the site health and safety plan along with any standard operating procedures shall be on site and accessible at all times.**

NOTE: These requirements are excerpts from 29 CFR Part 1910.120(b)(4), Hazardous Waste Operations and Emergency Response; Final Rule, March 6, 1989. Safety plans of certain underground tank sites may need to meet the complete requirements of this Rule.

19. PLOT PLAN

The plan should consist of a scaled view of the facility at which the tank(s) are located and should include the following information:

a) Scale;

b) North Arrow;

c) Property Lines;

d) Location of all Structures;

e) Location of all relevant existing equipment including tanks and piping to be removed and dispensers;

f) Streets;

g) Underground conduits, sewers, water lines, utilities;

h) Existing wells (drinking, monitoring, etc.);

i) Depth to ground water; and

j) All existing tank(s) and piping in addition to the tank(s) being removed.

20. DEPOSIT

A deposit, payable to "Treasurer of Alameda County" for the amount indicated on the Alameda County Underground Storage Tank Fee Schedule, must accompany the plans.

21. Blank Unauthorized Leak/Contamination Site Report forms may be obtained in limited quantities from this office or from the San Francisco Bay Regional Water Quality Control Board (510/286-1255). Larger quantities may be obtained directly from the State Water Resources Control Board at (916) 739-2421.

22. TANK CLOSURE REPORT

The tank closure report should contain the following information:

a) General description of the closure activities;

b) Description of tank, fittings and piping conditions. Indicate tank size and former contents; note any corrosion, pitting, holes, etc.;

c) Description of the excavation itself. Include the tank and excavation depth, a log of the stratigraphic units encountered within the excavation, a description of root holes or other potential contaminant pathways, the depth to any observed ground water, descriptions and locations of stained or odor-bearing soil, and descriptions of any observed free product or sheen;

d) Detailed description of sampling methods; i.e. backhoe bucket, drive sampler, bailer, bottle(s), sleeves

e) Description of any remedial measures conducted at the time of tank removal;

f) To-scale figures showing the excavation size and depth, nearby buildings, sample locations and depths, and tank and piping locations. Include a copy of the plot plan prepared for the Tank Closure Plan under item 19;

g) Chain of custody records;

h) Copies of signed laboratory reports;

i) Copies of "TSDF to Generator" Manifests for all hazardous wastes hauled offsite (sludge, rinsate, tanks and piping, contaminated soil, etc.); and

j) Documentation of the disposal of/and volume and final destination of all non-manifested contaminated soil disposed offsite.

ALAMEDA COUNTY ENVIRONMENTAL PROTECTION DIVISION

DECLARATION OF SITE ACCOUNT REFUND RECIPIENT

There may be excess funds remaining in the Site Account at the completion of this project. The PAYOR (person or company that issues the check) will use this form to predesignate another party to receive any funds refunded at the completion of this project. In the absence of this form, the PAYOR will receive the refund.

SITE INFORMATION:

Site ID Number
(if known)

OAKLAND TELE. ACCESS CENTER
Name of Site

720 SECOND ST
Street Address

OAKLAND CA 94607
City, State & Zip Code

I designate the following person or business to receive any refund due at the completion of all deposit/refund projects:

MA MORTENSON
Name

720 SECOND ST
Street Address

OAKLAND CA 94607
City, State & Zip Code

Signature of Payor

9/18/00
Date

JIM CALL
Name of Payor
(PLEASE PRINT CLEARLY)

MA MORTENSON
Company Name of Payor

RETURN FORM TO:

County of Alameda, Environmental Protection
1131 Harbor Bay Parkway, Rm 250
Alameda CA 94502-6577
Phone#(510) 567-6700

rev.11/01/96;closure.pln/RW;Lp

TABLE #2

RECOMMENDED MINIMUM VERIFICATION ANALYSES FOR UNDERGROUND TANK LEAKS

HYDROCARBON LEAK	SOIL ANALYSIS	WATER ANALYSIS
Unknown Fuel	TPH G GCFID(5030) TPH D GCFID(3550) BTX&E 8020 or 8240 TPH AND BTX&E 8260	TPH G GCFID(5030) TPH D GCFID(3510) BTX&E 602, 624 or 8260
Leaded Gas	TPH G GCFID(5030) BTX&E 8020 OR 8240 TPH AND BTX&E 8260 TOTAL LEAD AA ------Optional------- TEL DHS-LUFT EDB DHS-AB1803	TPH G GCFID(5030) BTX&E 602 or 624 TOTAL LEAD AA TEL DHS-LUFT EDB DHS-AB1803
Unleaded Gas	TPH G GCFID(5030) BTX&E 8020 or 8240 TPH AND BTX&E 8260	TPH G GCFID(5030) BTX&E 602, 624 or 8260
Diesel, Jet Fuel and Kerosene	TPH D GCFID(3550) BTX&E 8020 or 8240 TPH AND BTX&E 8260	TPH D GCFID(3510) BTX&E 602, 624 or 8260
Fuel/Heating Oil	TPH D GCFID(3550) BTX&E 8020 or 8240 TPH AND BTX&E 8260	TPH D GCFID(3510) BTX&E 602, 624 or 8260
Chlorinated Solvents	CL HC 8010 or 8240 BTX&E 8020 or 8240 CL HC AND BTX&E 8260	CL HC 601 or 624 BTX&E 602 or 624 CL HC AND BTX&E 8260
Non-chlorinated Solvents	TPH D GCFID(3550) BTX&E 8020 or 8240 TPH AND BTX&E 8260	TPH D. GCFID(3510) BTX&E 602 or 624 TPH and BTX&E 8260
Waste and Used Oil or Unknown (All analyses must be completed and submitted)	TPH G GCFID(5030) TPH D GCFID(3550) TPH AND BTX&E 8260 O & G 5520 D & F BTX&E 8020 or 8240 CL HC 8010 or 8240	TPH G GCFID(5030) TPH D GCFID(3510 O & G 5520 C & F BTX&E 602, 624 or 8260 CL HC 601 or 624
	ICAP or AA TO DETECT METALS: Cd, Cr, Pb, Zn, Ni METHOD 8270 FOR SOIL OR WATER TO DETECT: PCB* PCP* PNA CREOSOTE	 PCB PCP PNA CREOSOTE

* If found, analyze for dibenzofurans (PCBs) or dioxins (PCP)

Reference: Tri-Regional Board Staff Recommendations for Preliminary Evaluation and Investigation of Underground Tank Sites, 10 August 1990

EXPLANATION FOR TABLE #2: MINIMUM VERIFICATION ANALYSIS

1. OTHER METHODOLOGIES are continually being developed and as methods are accepted by EPA or DHS, they also can be used.

2. For DRINKING WATER SOURCES, EPA recommends that the 500 series for volatile organics be used in preference to the 600 series because the detection limits are lower and the QA/QC is better.

3. APPROPRIATE STANDARDS for the materials stored in the tank are to be used for all analyses on Table #2. For instance, seasonally, there may be five different jet fuel mixtures to be considered.

4. To AVOID FALSE POSITIVE detection of benzene, benzene-free solvents are to be used.

5. TOTAL PETROLEUM HYDROCARBONS (TPH) as gasoline (G) and diesel (D) ranges (volatile and extractible, respectively) are to be analyzed and characterized by GCFID with a fused capillary column and prepared by EPA method 5030 (purge and trap) for volatile hydrocarbons, or extracted by sonication using 3550 methodology for extractable hydrocarbons. Fused capillary columns are preferred to packed columns; a packed column may be used as a "first cut" with "dirty" samples or once the hydrocarbons have been characterized and proper QA/QC is followed.

6. TETRAETHYL LEAD (TEL) analysis may be required if total lead is detected unless the determination is made that the total lead concentration is geogenic (naturally occurring).

7. CHLORINATED HYDROCARBONS (CL HC) AND BENZENE, TOLUENE, XYLENE AND ETHYLBENZENE (BTX&E) are analyzed in soil by EPA methods 8010 and 8020 respectively, (or 8240) and in water, 601 and 602, respectively (or 624).

8. OIL AND GREASE (O & G) may be used when heavy, straight chain hydrocarbons may be present. Infrared analysis by method 418.1 may also be acceptable for O & G if proper standards are used. **Standard Methods" 17th Edition, 1989, has changed the 503 series to 5520.**

9. **PRACTICAL QUANTITATION REPORTING LIMITS are influenced by matrix problems and laboratory QA/QC procedures. Following are the Practical Quantitation Reporting Limits:**

	SOIL PPM	WATER PPB
TPH G	1.0	50.0
TPH D	1.0	50.0
BTX&E	0.005	0.5
O & G	50.0	5,000.0

Based upon a Regional Board survey of Department of Health Services Certified Laboratories, the Practical Quantitation Reporting Limits are attainable by a majority of laboratories with the exception of diesel fuel in soils. The Diesel Practical Quantitation Reporting Limits, shown by the survey, are:

ROUTINE	MODIFIED PROTOCOL
≤ 10 ppm (42%)	≤ 10 ppm (10%)
≤ 5 ppm (19%)	≤ 5 ppm (21%)
≤ 1 ppm (35%)	≤ 1 ppm (60%)

When the Practical Quantitation Reporting Limits are not achievable, an explanation of the problem is to be submitted on the laboratory data sheets.

10. LABORATORY DATA SHEETS are to be signed and submitted and include the laboratory's assessment of the condition of the samples on receipt including temperature, suitable container type, air bubbles present/absent in VOA bottles, proper preservation, etc. The sheets are to include the dates sampled, submitted, prepared for analysis, and analyzed.

11. IF PEAKS ARE FOUND, when running samples, that do not conform to the standard, laboratories are to report the peaks, including any unknown complex mixtures that elute at times varying from the standards. Recognizing that these mixtures may be contrary to the standard, they may not be readily identified; however, they are to be reported. At the discretion of the LIA or Regional Board the following information is to be contained in the laboratory report:

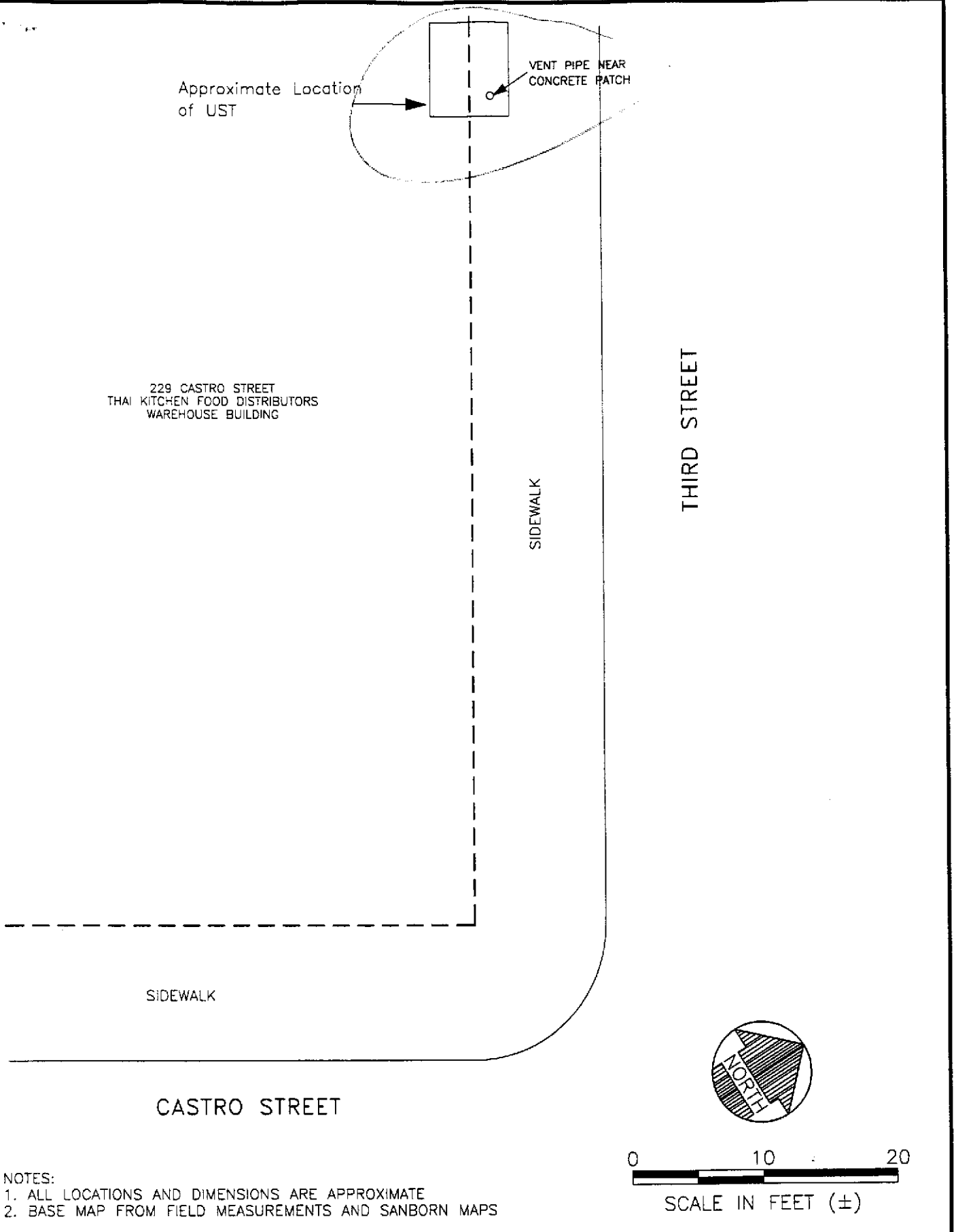
    The relative retention time for the unknown peak(s) relative to the reference peak in the standard, copies of the chromatogram(s), the type of column used, initial temperature, temperature program is C/minute, and the final temperature.

12. REPORTING LIMITS FOR TPH are: gasoline standard ≤ 20 carbon atoms, diesel and jet fuel (kerosene) standard ≤ 50 carbon atoms. It is not necessary to continue the chromatography beyond the limit, standard, or EPA/DHS method protocol (whichever time is greater).

EPILOGUE

ADDITIVES: Major oil companies are being encouraged or required by the federal government to reformulate gasoline as cleaner burning fuels to reduce air emissions. MTBE (Methyl-tertiary butyl ether), ETHANOL (ethyl alcohol), and other chemicals may be added to reformulate gasolines to increase the oxygen content in the fuel and thereby decrease undesirable emissions (about four percent with MTBE). MTBE and ethanol are, for practical purposes, soluble in water. The removal

from the water column will be difficult. Other compounds are being added by the oil companies for various purposes. The refinements for detection and analysis for all of these additives are still being worked out. If you have any questions about the methodology, please call your Regional Board representative.



NOTES:
1. ALL LOCATIONS AND DIMENSIONS ARE APPROXIMATE
2. BASE MAP FROM FIELD MEASUREMENTS AND SANBORN MAPS

SITE MAP	Scale: AS SHOWN	Date: 07/00
	Drawn by: AJG	Approved by: AJG
229 Castro Street Oakland, California	Project No. 044-00006	Figure No. 2

Krazan
ENGINEERS, GEOLOGISTS AND ENVIRONMENTAL SPECIALISTS
Offices Serving the Western United States

ACORD

Certificate of Insurance

Issue Date: September 11, 2000

PRODUCER:
Willis Corroon Corporation of Minnesota
4000 Olson Memorial Hwy Suite 300
Minneapolis, MN 55422
612-302-7100 Fax 612-588-1910
Contact: Pat Coyne/Kathy Warner

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.

Insured:
M.A. Mortenson Company
700 Meadow Lane North
Minneapolis, MN 55422

COMPANIES AFFORDING COVERAGE

Company Letter	A	St Paul Mercury
Company Letter	B	St Paul Fire and Marine Insurance Company
Company Letter	C	
Company Letter	D	
Company Letter	E	

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 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	Policy Expiration Date	Limits	
	General Liability				General Aggregate	$ 2,000,000
					Products-Comp Ops Agg.	$ 2,000,000
A	☒ Commercial General Liability	* KK06300666	05/01/00	05/01/01	Personal & Adv. Injury	$ 2,000,000
	☐ Claims Made ☒ Occur.				Each Occurrence	$ 2,000,000
	☐ Owner's & Contractor's Prot				Fire Damage(any One Fire)	$ 100,000
	☐				Med. Expense (Any one Person)	$ 5,000
	Automobile Liability				Combined Single Limit	$
	☒ Any Auto					
	☐ All Owned Autos				Bodily Injury (Per Person)	$
	☐ Scheduled Autos					
	☒ Hired Autos				Bodily Injury (Per Accident)	$
	☒ Non-Owned Autos					
	☐ Garage Liability				Property Damage	$
	☐					
	Excess Liability				Each Occurrence	$ 3,000,000
A	☒ Umbrella Form	* KK06300666	05/01/00	05/01/01	Aggregate	$ 3,000,000
	☐ Other than Umbrella Form					
	WORKER'S COMPENSATION				XX Statutory Limits	
	AND EMPLOYERS' LIABILITY	WVK6300684	05/01/00	05/01/01	Each Accident	$ 500,000
B	THE PROPRIETOR/PARTNER EXECUTIVE OFFICERS ARE: ☒ INCL ☐ EXCL	WVK6300685			Disease - Policy Limit	$ 500,000
					Disease - Each Employee	$ 500,000
	Other					

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/SPECIAL ITEMS

MAM#: 990101 PROJECT: Oakland Telecom Access Center.
As respects to M. A. Mortenson Company operations on this project reference above, the Port of Oakland is included as Additional Insured under the policies marked "" above.

CERTIFICATE HOLDER

Port of Oakland
530 Water Street
P.O. Box 2064
Oakland, CA 94604-2064

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT,.

AUTHORIZED REPRESENTATIVE

Additional Protected Persons Endorsement - Contractors General Liability - Including Completed Work

The St Paul

This endorsement changes your Contractors Commercial General Liability Protection.

How Coverage Is Changed

There are two changes which are described below.

1. The following is added to the Who Is Protected Under This Agreement section. This change adds certain protected persons and limits their protection.

   Additional protected person. The person or organization named below is an additional protected person as required by a contract or agreement with you. But only for covered injury or damage arising out of :
   * your work for that person or organization; or
   * your completed work for that person or organization only if required by your contract or agreement; or
   * premises you own, rent, or lease.

   We explain what we mean by your work and your completed work in the Products and completed work total limit section.

   If the additional protected person is an architect, engineer, or surveyor, we won't cover injury or damage arising out of the performance or failure to perform architect, engineer, or surveyor professional services.

   Architect, engineer, or surveyor professional services includes:
   * the preparation or approval of maps, drawings, opinions, reports, surveys, change orders, designs, or specification; and
   * supervisory, inspection, or engineering services.

2. The following is added to the Other primary insurance section. This change broadens coverage.

   We'll consider this insurance to be primary and non-contributory to the additional protected persons listed below if:
   * your contract or agreement requires that we consider this insurance to be primary or primary and non-contributory; or
   * you request that we consider such insurance to be primary or primary and non-contributory insurance.

Other Terms

All other terms of your policy remain the same.

Person or Organization:

Port of Oakland
530 Water Street
P.O. Box 2064
Oakland, CA 94604-2064

Name of Insured	Policy Number	Effective Date
M.A. MORTENSON COMPANIES, INC.	KK06300666	05/01/00
	Processing Date 09/11/00	

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)

September 27, 2000

Mr. Douglas Herman
Port of Oakland
530 Water Street
Oakland, California 94607

RE: Proposed Telecommunication Facility
720 Second Street / 229 Castro Street Oakland, California 94607
Project #134A - Type M (STID # 6690)

Dear Mr. Herman:

Our records indicate the deposit / refund account for the above project has fallen below the minimum deposit amount. To replenish the account, please submit an additional deposit of $4,000.00 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 6.92.060 of the Alameda County Ordinance Code. Work on this project will be debited at the Ordinance specified rate, currently at $ 105 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 me at (510) 567-6780.

Sincerely,

Susan L. Hugo
Hazardous Materials Specialist

c: Ariu Levi /Thomas Peacock, Environmental Health Services
Tom Lander, Mortenson Development Co.- 2201 Geary Boulevard, San Francisco, CA 94115
SH / files

Hugo, Susan, Env. Health

To: Nishioka, Krisida, County Counsel
Cc: Ariu Levi
Subject: Deed Restrictions
Importance: High

Hi Krishida;

Our office is working on closing two site remediation cases which required deed restrictions. We have provided them with the standard deed restriction model which your office approved as to form. The responsible parties for both sites have submitted deed restrictions that have been modified by their legal counsel.

Our office is requesting your review of the modified deed restrictions before Mee Ling sign them.

The legal counsels for both parties were instructed not to contact your office directly but one of them contacted Brian Washington in your office without our approval.

Can I forward these deed restrictions to you ?

The responsible parties would like to know the time frame as both properties are in the middle of property transfers.

Please let me know.

Thanks

720 Second St - dropped hundred property - big deal?

FAXCOVER

close of escrow by August. Items start Aug 25 need #

KRAZAN & ASSOCIATES, INC.

545 PARROTT STREET, SAN JOSE, CA 95112

(408) 271-2200, (408) 271-2201 FAX

OFFICES SERVING THE WESTERN UNITED STATES

SHEET

Attention: ***Ms. Susan Hugo***

Fax #: ***510-337-9335***

Telephone #:

Company Name: **Alameda County**

Date: ***7/31/00***

From: **Alex Gallego**

COMMENTS: Susan: Attached is the UST closure application form. The closure will be implemented upon M.A. Mortenson's purchase of the property. They have not closed escrow on the property.

Please advise us immediately if you do not receive complete transmittal or if you have received this transmittal in error.

No. of pages, including transmittal sheet 17

____Original will not follow

_x_ Original will follow

_x___ Regular Mail

____Courier

____Federal Express

____Other_____

ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY
ENVIRONMENTAL HEALTH SERVICES
1131 HARBOR BAY PARKWAY, RM 250
ALAMEDA, CA 94502-6577
PHONE # 510/567-6700

UNDERGROUND TANK CLOSURE PLAN
*** * * Complete plan according to attached instructions * * ***

1. Name of Business M.A. MORTENSON COMPANY
   Business Owner or Contact Person (PRINT) Mr. MARVIN DOSTER
2. Site Address 229 CASTRO STREET
   City OAKLAND, CA Zip 94607 Phone _____
3. Mailing Address 108 FIRST AVENUE SOUTH
   City SEATTLE, WA Zip 98104 Phone 206-748-7837
4. Property Owner M.A. MORTENSON COMPANY
   Business Name (if applicable) NONE
   Address 700 MEADOW LANE NORTH
   City, State MINNEAPOLIS, MN. Zip 55422
5. Generator name under which tank will be manifested
   M.A. MORTENSON COMPANY
   EPA ID# under which tank will be manifested C A _ _ _ _ _ _ _ _ _

6. Contractor TO BE DETERMINED (TBD)

Address

City Phone

License Type ID#

7. Consultant (if applicable) KRAZAN + ASSOCIATES, INC.

Address 545 PARROTT STREET

City, State SAN JOSE, CA 95112 Phone 408 271 2200

8. Main Contact Person for Investigation (if applicable)

Name ALEX GALLEGO Title DIVISION MANAGER

Company KRAZAN + ASSOCIATES, INC.

Phone 408 271 2200

9. Number of underground tanks being closed with this plan 1

Length of piping being removed under this plan UNKNOWN

Total number of underground tanks at this facility (**confirmed with owner or operator) 1

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

** Underground storage tanks must be handled as hazardous waste **

a) Product/Residual Sludge/Rinsate Transporter

Name (TBD) EPA I.D. No.

Hauler License No. License Exp. Date

Address

City State Zip

b) Product/Residual Sludge/Rinsate Disposal Site

Name (TBD) EPA ID#

Address

City State Zip

c) Tank and Piping Transporter

Name TBD EPA I.D. No. _____

Hauler License No. _____ License Exp. Date _____

Address _____

City _____ State _____ Zip _____

d) Tank and Piping Disposal Site

Name TBD EPA I.D. No. _____

Address _____

City _____ State _____ Zip _____

11. Sample Collector

Name ALEX GALLEGO

Company KRAZAN & ASSOCIATES, Inc.

Address 515 PARROTT STREET

City SAN JOSE State CA Zip 95112 Phone 408 271 7200

12. Laboratory

Name ENTECH ANALYTICAL LABS, Inc.

Address 525 DEL REY AVE, SUITE E

City Sunnyvale State CA Zip 94086

State Certification No. CA ELAP# 2346

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

If yes, describe. 8 SOIL + GROUNDWATER SAMPLES COLLECTED ADJACENT TO TANK CONTAINED GASOLINE COMPOUNDS

14. Describe methods to be used for rendering tank(s) inert:

Before tanks are pumped out and inerted, all associated piping must be flushed back into the tank(s). All accessible piping must then be removed. Inaccessible piping must be permanently plugged using grout.

The Bay Area Air Quality Management District, 415/771-6000, along with local Fire and Building Departments, must also be contacted for tank removal permits. Fire departments typically require the use of a combustible gas indicator to verify tank inertness. **It is the contractor's responsibility to have a functional combustible gas indicator on-site to verify that the tank(s) is inerted.**

15. Tank History and Sampling Information *** (see instructions) ***

Tank		Material to be sampled (tank contents, soil, groundwater)	Location and Depth of Samples
Capacity	Use History include date last used (estimated)		
500 gal ±	UNKNOWN	SOIL GROUNDWATER	SIDEWALLS (6') TANK PIT

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

Excavated/Stockpiled Soil	
Stockpiled Soil Volume (estimated) UNKNOWN	Sampling Plan

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

Will the excavated soil be returned to the excavation immediately after tank removal? [ ] yes [ ] no [X] unknown

If yes, explain reasoning _____

_____

If unknown at this point in time, please be aware that **excavated soil may not be returned to the excavation without prior approval from this office. This means that the contractor, consultant, or responsible party must communicate with the Specialist IN ADVANCE of backfilling activities.**

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.

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

Contaminant Sought	EPA or Other Sample Preparation Method Number	EPA or Other Analysis Method Number	Method Detection Limit SOIL	Method Detection Limit WATER
TPH GAS	8015M		1 ppm	50 ppb
BTEX	8020		5 ppb	0.5 ppb
TEL	DHS-LUFT		0.5 ppm	0.1 ppm

18. Submit Worker's Compensation Certificate copy

Name of Insurer _____

19. Submit Plot Plan ***(See Instructions)***

20. Enclose Deposit (See Instructions)

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

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

23. Submit State (Underground Storage Tank Permit Application) Forms A and B (one-B form for each UST to be removed) (mark box 8 for "tank removed" in the upper right hand corner)

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

I understand that information, in addition to that provided above, may b needed in order to obtain approval from the Environmental Protection Divisio 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 voi this plan if prior approval is not obtained.

I understand that all work performed during this project will be done i compliance with all applicable OSHA (Occupational Safety and Healt 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 no 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.

CONTRACTOR INFORMATION

Name of Business TBD

Name of Individual _____

Signature _____ Date _____

PROPERTY OWNER OR MOST RECENT TANK OPERATOR (Circle one)

Name of Business _____

Name of Individual _____

Signature _____ Date _____

INSTRUCTIONS

General Instructions

* Three (3) copies of this plan plus attachments and a deposit must be submitted to this Department.
* Any cutting into tanks requires local fire department approval.
* One complete copy of your approved plan must be at the construction site at all times; a copy of your approved plan must also be sent to the landowner.
* State of California Permit Application Forms A and B are to be submitted to this office. One Form A per site, one Form B for each removed tank.

Line Item Specific Instructions

2. SITE ADDRESS
Address at which closure is taking place.

5. EPA I.D. NO. under which the tanks will be manifested
EPA I.D. numbers may be obtained from the State Department of Toxic Substances Control, 916/324-1781.

6. CONTRACTOR
Prime contractor for the project.

10. STATE REGISTERED HAZARDOUS WASTE TRANSPORTERS/FACILITIES

a) All residual liquids and sludges are to be removed from tanks before tanks are inerted.

c) Tanks must be hauled as hazardous waste.

d) This is the place where tanks will be taken for cleaning.

15. TANK HISTORY AND SAMPLING INFORMATION
Use History - This information is essential and must be accurate. Include tank installation date, products stored in the tank, and the date when the tank was last used.

Material to be sampled - e.g. water, oil, sludge, soil, etc.

Location and depth of samples - e.g. beneath the tank a maximum of two feet below the native soil/backfill interface, side wall at the high water mark, etc.

16. CHEMICAL METHODS AND ASSOCIATED DETECTION LIMITS
See attached Table 2.

17. SITE HEALTH AND SAFETY PLAN
A site specific Health and Safety plan must be submitted. We advocate the site health and safety plan include the following items, at a minimum:

a) The name and responsibilities of the site health and safety officer;

b) An outline of briefings to be held before work each day to appraise employees of site health and safety hazards;

c) Identification of health and safety hazards of each work task. Include potential fire, explosion, physical, and chemical hazards;

d) For each hazard, identify the action levels (contaminant concentrations in air) or physical conditions which will trigger changes in work habits to ensure workers are not exposed to unsafe chemical levels or physical conditions;

e) Description of the work habit changes triggered by the above action levels or physical conditions;

f) Frequency and types of air and personnel monitoring - along with the environmental sampling techniques and instrumentation - to be used to detect the above action levels. Include instrumentation maintenance and calibration methods and frequencies;

g) Confined space entry procedures (if applicable);

h) Decontamination procedures;

i) Measures to be taken to secure the site, excavation and stockpiled soil during and after work hours (e.g. barricades, caution tape, fencing, trench plates, plastic sheeting, security guards, etc.);

j) Spill containment/emergency/contingency plan. Be sure to include emergency phone numbers, the location of the phone nearest the site, and directions to the hospital nearest the site;

k) Documentation that all site workers have received the appropriate OSHA approved trainings and participate in appropriate medical surveillance per 29 CFR 1910.120; and

l) A page for employees to sign acknowledging that they have read and will comply with the site health and safety plan.

The safety plan must be distributed to all employees and contractors working in hazardous waste operations on site. **A complete copy of the site health and safety plan along with any standard operating procedures shall be on site and accessible at all times.**

NOTE: These requirements are excerpts from 29 CFR Part 1910.120(b)(4), Hazardous Waste Operations and Emergency Response; Final Rule, March 6, 1989. Safety plans of certain underground tank sites may need to meet the complete requirements of this Rule.

19. PLOT PLAN

The plan should consist of a scaled view of the facility at which the tank(s) are located and should include the following information:

a) Scale;

b) North Arrow;

c) Property Lines;

d) Location of all Structures;

e) Location of all relevant existing equipment including tanks and piping to be removed and dispensers;

f) Streets;

g) Underground conduits, sewers, water lines, utilities;

h) Existing wells (drinking, monitoring, etc.);

i) Depth to ground water; and

j) All existing tank(s) and piping in addition to the tank(s) being removed.

20. DEPOSIT

A deposit, payable to "Treasurer of Alameda County" for the amount indicated on the Alameda County Underground Storage Tank Fee Schedule, must accompany the plans.

21. Blank Unauthorized Leak/Contamination Site Report forms may be obtained in limited quantities from this office or from the San Francisco Bay Regional Water Quality Control Board (510/286-1255). Larger quantities may be obtained directly from the State Water Resources Control Board at (916) 739-2421.

22. TANK CLOSURE REPORT

The tank closure report should contain the following information:

a) General description of the closure activities;

b) Description of tank, fittings and piping conditions. Indicate tank size and former contents; note any corrosion, pitting, holes, etc.;

c) Description of the excavation itself. Include the tank and excavation depth, a log of the stratigraphic units encountered within the excavation, a description of root holes or other potential contaminant pathways, the depth to any observed ground water, descriptions and locations of stained or odor-bearing soil, and descriptions of any observed free product or sheen;

d) Detailed description of sampling methods; i.e. backhoe bucket, drive sampler, bailer, bottle(s), sleeves

e) Description of any remedial measures conducted at the time of tank removal;

f) To-scale figures showing the excavation size and depth, nearby buildings, sample locations and depths, and tank and piping locations. Include a copy of the plot plan prepared for the Tank Closure Plan under item 19;

g) Chain of custody records;

h) Copies of signed laboratory reports;

i) Copies of "TSDF to Generator" Manifests for all hazardous wastes hauled offsite (sludge, rinsate, tanks and piping, contaminated soil, etc.); and

j) Documentation of the disposal of/and volume and final destination of all non-manifested contaminated soil disposed offsite.

ALAMEDA COUNTY ENVIRONMENTAL PROTECTION DIVISION

DECLARATION OF SITE ACCOUNT REFUND RECIPIENT

There may be excess funds remaining in the Site Account at the completion of this project. The PAYOR (person or company that issues the check) will use this form to predesignate another party to receive any funds refunded at the completion of this project. In the absence of this form, the PAYOR will receive the refund.

SITE INFORMATION:

Site ID Number
(if known)

M.A. MORTENSON COMPANY
Name of Site

229 CASTRO STREET
Street Address

OAKLAND, CA 94607
City, State & Zip Code

I designate the following person or business to receive any refund due at the completion of all deposit/refund projects:

Name

Street Address

City, State & Zip Code

Signature of Payor

Date

Name of Payor
(PLEASE PRINT CLEARLY)

Company Name of Payor

RETURN FORM TO:

County of Alameda, Environmental Protection
1131 Harbor Bay Parkway, Rm 250
Alameda CA 94502-6577
Phone#(510) 567-6700

rev.11/01/96;closure.pln/RW;Lp

UNIFIED PROGRAM CONSOLIDATED FORM

TANKS

UNDERGROUND STORAGE TANKS - FACILITY

(one page per site)

Page 1 of 1

TYPE OF ACTION *(Check one item only)* 400

- ☐ 1. NEW SITE PERMIT
- ☐ 3. RENEWAL PERMIT
- ☐ 4. AMENDED PERMIT
- ☐ 5. CHANGE OF INFORMATION *(Specify change - local use only)* ____
- ☐ 6. TEMPORARY SITE CLOSURE
- ☒ 7. PERMANENTLY CLOSED SITE
- ☐ 8. TANK REMOVED

I. FACILITY / SITE INFORMATION

BUSINESS NAME (Same as FACILITY NAME or DBA - Doing Business As) 3: M. A. MORTENSON COMPANY

NEAREST CROSS STREET 401: 3rd STREET

FACILITY OWNER TYPE 402: ☒ 1. CORPORATION ☐ 2. INDIVIDUAL ☐ 3. PARTNERSHIP ☐ 4. LOCAL AGENCY/DISTRICT* ☐ 5. COUNTY AGENCY* ☐ 6. STATE AGENCY* ☐ 7. FEDERAL AGENCY*

BUSINESS TYPE 403: ☐ 1. GAS STATION ☒ 2. DISTRIBUTOR ☐ 3. FARM ☐ 4. PROCESSOR ☐ 5. COMMERCIAL ☐ 6. OTHER

TOTAL NUMBER OF TANKS REMAINING AT SITE 404: 1

Is facility on Indian Reservation or trustlands? 405: ☐ Yes ☒ No

*If owner of UST a public agency: name of supervisor of division, section or office which operates the UST. (This is the contact person for the tank records.) 406

II. PROPERTY OWNER INFORMATION

PROPERTY OWNER NAME 407: M. A. MORTENSON COMPANY

PHONE 408: 206-748-7837

MAILING OR STREET ADDRESS 409: 229 CASTRO STREET

CITY 410: OAKLAND

STATE 411: CA

ZIP CODE 412: 94607

PROPERTY OWNER TYPE 413: ☒ 1. CORPORATION ☐ 2. INDIVIDUAL ☐ 3. PARTNERSHIP ☐ 4. LOCAL AGENCY / DISTRICT ☐ 5. COUNTY AGENCY ☐ 6. STATE AGENCY ☐ 7. FEDERAL AGENCY

III. TANK OWNER INFORMATION

TANK OWNER NAME 414: M.A. MORTENSON COMPANY

PHONE 415: 206-748-7837

MAILING OR STREET ADDRESS 416: 700 MEADOW LANE NORTH

CITY 417: MINNEAPOLIS

STATE 418: MN

ZIP CODE 419: 55422

TANK OWNER TYPE 420: ☒ 1. CORPORATION ☐ 2. INDIVIDUAL ☐ 3. PARTNERSHIP ☐ 4. LOCAL AGENCY / DISTRICT ☐ 5. COUNTY AGENCY ☐ 6. STATE AGENCY ☐ 7. FEDERAL AGENCY

IV. BOARD OF EQUALIZATION UST STORAGE FEE ACCOUNT NUMBER

TY (TK) HQ 4 4 - 421

Call (916) 322-9669 if questions arise

V. PETROLEUM UST FINANCIAL RESPONSIBILITY

INDICATE METHOD(S) 422

- ☒ 1. SELF INSURED
- ☐ 2. GUARANTEE
- ☐ 3. INSURANCE
- ☐ 4. SURETY BOND
- ☐ 5. LETTER OF CREDIT
- ☐ 6. EXEMPTION
- ☐ 7. STATE FUND
- ☐ 7. STATE FUND & CFO LETTER
- ☐ 7. STATE FUND & CD
- ☐ 10. LOCAL GOV'T MECHANISM
- ☐ 99. OTHER: ____

VI. LEGAL NOTIFICATION AND MAILING ADDRESS

Check one box to indicate which address should be used for legal notification and mailing. Legal notifications and mailings will be sent to the tank owner unless box 1 or 2 is checked. 423

☐ 1. FACILITY ☐ 2. PROPERTY OWNER ☒ 3. TANK OWNER

VII. APPLICANT SIGNATURE

Certification: I certify that the information provided herein is true and accurate to the best of my knowledge.

SIGNATURE OF APPLICANT	DATE 424	PHONE 425

NAME OF APPLICANT *(print)* 426	TITLE OF APPLICANT 427

STATE UST FACILITY NUMBER *(For local use only)* 428	1998 UPGRADE CERTIFICATE NUMBER *(For local use only)* 429

UNIFIED PROGRAM CONSOLIDATED FORM

TANKS

UNDERGROUND STORAGE TANKS - TANK PAGE 1

(two pages per tank)

Page ____ of ____

TYPE OF ACTION (Check one item only)
☐ 1. NEW SITE PERMIT ☐ 3. RENEWAL PERMIT ☐ 4. AMENDED PERMIT (Specify reason - for local use only) ☐ 5. CHANGE OF INFORMATION (Specify change - for local use only) ☐ 6. TEMPORARY SITE CLOSURE ☒ 7. PERMANENTLY CLOSED ON SITE ☐ 8. TANK REMOVED 430

BUSINESS NAME (Same as FACILITY NAME or DBA - doing Business As) 431
M.A. MORTENSON COMPANY

LOCATION WITHIN SITE (Optional)

I. TANK DESCRIPTION

TANK ID # 432	TANK MANUFACTURER 433	COMPARTMENTALIZED TANK ☐ Yes ☒ No 434 If "Yes," complete one page for each compartment.
	UNKNOWN	
DATE INSTALLED (YEAR/MO) 435	TANK CAPACITY IN GALLONS 436	NUMBER OF COMPARTMENTS 437
UNKNOWN	500 ±	1

ADDITIONAL DESCRIPTION (For local use only) 438

II. TANK CONTENT

TANK USE 440
☒ 1. MOTOR VEHICLE FUEL (If marked, complete Petroleum Type)
☐ 2. NON-FUEL PETROLEUM
☐ 3. CHEMICAL PRODUCT
☐ 4. HAZARDOUS WASTE (Includes Used Oil)
☐ 95. UNKNOWN

PETROLEUM TYPE
☐ 1a. REGULAR UNLEADED ☒ 2. LEADED ☐ 5. JET FUEL
☐ 1b. PREMIUM UNLEADED ☐ 3. DIESEL ☐ 6. AVIATION FUEL
☐ 1c. MIDGRADE UNLEADED ☐ 4. GASOHOL ☐ 99. OTHER ____

COMMON NAME (from Hazardous Materials Inventory page) 441
CAS # (from Hazardous Materials Inventory page) 442

III. TANK CONSTRUCTION

TYPE OF TANK (Check one item only) 443
☐ 1. SINGLE WALL ☐ 2. DOUBLE WALL ☐ 3. SINGLE WALL WITH EXTERIOR MEMBRANE LINER ☐ 4. SINGLE WALL IN A VAULT ☐ 5. SINGLE WALL WITH INTERNAL BLADDER SYSTEM ☒ 95. UNKNOWN ☐ 99. OTHER ____

TANK MATERIAL - primary tank (Check one item only) 444
☒ 1. BARE STEEL ☐ 2. STAINLESS STEEL ☐ 3. FIBERGLASS / PLASTIC ☐ 4. STEEL CLAD W/FIBERGLASS REINFORCED PLASTIC (FRP) ☐ 5. CONCRETE ☐ 6. FRP COMPATIBLE W/100% METHANOL ☐ 95. UNKNOWN ☐ 99. OTHER ____

TANK MATERIAL - secondary tank (Check one item only) 445
☐ 1. BARE STEEL ☐ 2. STAINLESS STEEL ☐ 3. FIBERGLASS / PLASTIC ☐ 4. STEEL CLAD W/FIBERGLASS REINFORCED PLASTIC (FRP) ☐ 5. CONCRETE ☐ 6. FRP COMPATIBLE W/100% METHANOL ☐ 7. FRP NON-CORRODIBLE JACKET ☐ 10. COATED STEEL ☒ 95. UNKNOWN ☐ 99. OTHER ____

TANK INTERIOR LINING OR COATING (Check one item only) 446 DATE INSTALLED 447
☐ 1. RUBBER LINED ☐ 2. ALKYD LINING ☐ 3. EPOXY LINING ☐ 4. PHENOLIC LINING ☐ 5. GLASS LINING ☐ 6. UNLINED ☒ 95. UNKNOWN ☐ 99. OTHER ____ (For local use only)

OTHER CORROSION PROTECTION IF APPLICABLE (Check one item only) 448 DATE INSTALLED 449
☐ 1. MANUFACTURED CATHODIC PROTECTION ☐ 2. SACRIFICIAL ANODE ☐ 3. FIBERGLASS REINFORCED PLASTIC ☐ 4. IMPRESSED CURRENT ☒ 95. UNKNOWN ☐ 99. OTHER ____ (For local use only)

SPILL AND OVERFILL (Check all that apply) 450 YEAR INSTALLED 451 TYPE (For local use only) 452
☐ 1. SPILL CONTAINMENT ____ ____
☐ 2. DROP TUBE ____ ____
☐ 3. STRIKER PLATE ____ ____

OVERFILL PROTECTION EQUIPMENT: YEAR INSTALLED
☐ 1. ALARM ____ ☐ 2. BALL FLOAT ____ ☐ 3. FILL TUBE SHUT OFF VALVE ____ ☐ 4. EXEMPT

IV. TANK LEAK DETECTION

IF SINGLE WALL TANK (Check all that apply): 453
☐ 1. VISUAL (EXPOSED PORTION ONLY)
☐ 2. AUTOMATIC TANK GAUGING (ATG)
☐ 3. CONTINUOUS ATG
☐ 4. STATISTICAL INVENTORY RECONCILIATION (SIR) + BIENNIAL TANK TESTING
☐ 5. MANUAL TANK GAUGING (MTG)
☐ 6. VADOSE ZONE
☐ 7. GROUNDWATER
☐ 8. TANK TESTING
☒ 99. OTHER UNKNOWN

IF DOUBLE WALL TANK OR TANK WITH BLADDER (Check one item only): 454
☐ 1. VISUAL (SINGLE WALL IN VAULT ONLY)
☐ 2. CONTINUOUS INTERSTITIAL MONITORING
☐ 3. MANUAL MONITORING

V. TANK CLOSURE INFORMATION / PERMANENT CLOSURE IN PLACE

ESTIMATED DATE LAST USED (YR/MO/DAY) 455: UNKNOWN
ESTIMATED QUANTITY OF SUBSTANCE REMAINING 456: UNKNOWN gallons
TANK FILLED WITH INERT MATERIAL? 457: ☐ Yes ☒ No

UNIFIED PROGRAM CONSOLIDATED FORM

UNDERGROUND STORAGE TANKS - TANK PAGE 2

TANKS

Page ____ of ____

TANK GENERAL CONSTRUCTION

	UNDERGROUND PIPING				ABOVEGROUND PIPING			
SYTEM TYPE	☐ 1. PRESSURE	☒ 2. SUCTION	☐ 3.GRAVITY	458	☐ 1. PRESSURE	☐ 2. SUCTION	☐ 3.GRAVITY	459
CONSTRUCTION/ MANUFACTURER	☐ 1. SINGLE WALL	☐ 3. LINED TRENCH	☐ 99. OTHER	460	☐ 1. SINGLE WALL	☐ 95. UNKNOWN		462
	☐ 2. DOUBLE WALL	☒ 95. UNKNOWN			☐ 2. DOUBLE WALL	☐ 99. OTHER		
	MANUFACTURER			461	MANUFACTURER			463
MATERIALS AND CORROSION PROTECTION	☐ 1. BARE STEEL	☐ 6. FRP COMPATIBLE W/100% METHANOL			☐ 1. BARE STEEL	☐ 6. FRP COMPATIBLE W/100% METHANOL		
	☐ 2. STAINLESS STEEL	☐ 7. GALVANIZED STEEL			☐ 2. STAINLESS STEEL	☐ 7. GALVANIZED STEEL		
	☐ 3. PLASTIC COMPATIBLE WITH CONTENTS	☒ 95. UNKNOWN			☐ 3. PLASTIC COMPATIBLE WITH CONTENTS	☐ 8. FLEXIBLE (HDPE)		
	☐ 4. FIBERGLASS	☐ 8. FLEXIBLE (HDPE)	☐ 99. OTHER		☐ 4. FIBERGLASS	☐ 9. CATHODIC PROTECTION	☐ 99. OTHER	
	☐ 5. STEEL W/COATING	☐ 9. CATHODIC PROTECTION		464	☐ 5. STEEL W/COATING	☐ 95. UNKNOWN		465

SPILL, OVERFILL, CORROSION PROTECTION

UNDERGROUND PIPING	ABOVEGROUND PIPING
SINGLE WALL PIPING 466	**SINGLE WALL PIPING** 467
PRESSURIZED PIPING *(Check all that apply)*:	PRESSURIZED PIPING *(Check all that apply)*:
☐ 1. ELECTRONIC LINE LEAK DETECTOR 3.0 GPH TEST WITH AUTO PUMP SHUT OFF FOR LEAK, SYSTEM FAILURE, AND SYSTEM DISCONNECTION + AUDIBLE AND VISUAL ALARMS	☐ 1. ELECTRONIC LINE LEAK DETECTOR 3.0 GPH TEST WITH AUTO PUMP SHUT OFF FOR LEAK, SYSTEM FAILURE, AND SYSTEM DISCONNECTION + AUDIBLE AND VISUAL ALARMS
☐ 2. MONTHLY 0.2 GPH TEST	☐ 2. MONTHLY 0.2 GPH TEST
☐ 3. ANNUAL INTEGRITY TEST (0.1 GPH)	☐ 3. ANNUAL INTEGRITY TEST (0.1 GPH)
	☐ 4. DAILY VISUAL CHECK
CONVENTIONAL SUCTION SYSTEMS:	CONVENTIONAL SUCTION SYSTEMS *(Check all that apply)*:
☐ 5. DAILY VISUAL MONITORING OF PUMPING SYSTEM + TRIENNIAL PIPING INTEGRITY TEST (0.1 GPH)	☐ 5. DAILY VISUAL MONITORING OF PIPING AND PUMPING SYSTEM
	☐ 6. TRIENNIAL INTEGRITY TEST (0.1 GPH)
SAFE SUCTION SYSTEMS (NO VALVES IN BELOW GROUND PIPING):	SAFE SUCTION SYTEMS (NO VALVES IN BELOW GROUND PIPING):
☐ 7. SELF MONITORING	☐ 7. SELF MONITORING
GRAVITY FLOW:	GRAVITY FLOW *(Check all that apply)*:
☐ 9. BIENNIAL INTEGRITY TEST (0.1 GPH)	☐ 8. DAILY VISUAL MONITORING
	☐ 9. BIENNIAL INTEGRITY TEST (0.1 GPH)
SECONDARILY CONTAINED PIPING	**SECONDARILY CONTAINED PIPING**
PRESSURIZED PIPING *(Check all that apply)*:	PRESSURIZED PIPING *(Check all that apply)*:
10. CONTINUOUS TURBINE SUMP SENSOR WITH AUDIBLE AND VISUAL ALARMS AND (Check one)	10. CONTINUOUS TURBINE SUMP SENSOR WITH AUDIBLE AND VISUAL ALARMS AND (Check one)
☐ a. AUTO PUMP SHUT OFF WHEN A LEAK OCCURS	☐ a. AUTO PUMP SHUT OFF WHEN A LEAK OCCURS
☐ b. AUTO PUMP SHUT OFF FOR LEAKS, SYSTEM FAILURE AND SYSTEM DISCONNECTION	☐ b. AUTO PUMP SHUT OFF FOR LEAKS, SYSTEM FAILURE AND SYSTEM DISCONNECTION
☐ c. NO AUTO PUMP SHUT OFF	☐ c. NO AUTO PUMP SHUT OFF
☐ 11. AUTOMATIC LINE LEAK DETECTOR (3.0 GPH TEST) WITH FLOW SHUT OFF OR RESTRICTION	☐ 11. AUTOMATIC LEAK DETECTOR
☐ 12. ANNUAL INTEGRITY TEST (0.1GPH)	☐ 12. ANNUAL INTEGRITY TEST (0.1 GPH)
SUCTION/GRAVITY SYSTEM:	SUCTION / GRAVITY SYSTEM:
☐ 13. CONTINUOUS SUMP SENSOR + AUDIBLE AND VISUAL ALARMS	☐ 13. CONTINUOUS SUMP SENSOR + AUDIBLE AND VISUAL ALARMS
EMERGENCY GENERATORS ONLY *(Check all that apply)*	**EMERGENCY GENERATORS ONLY** *(Check all that apply)*
☐ 14. CONTINUOUS SUMP SENSOR WITHOUT AUTO PUMP SHUT OFF + AUDIBLE AND VISUAL ALARMS	☐ 14. CONTINUOUS SUMP SENSOR WITHOUT AUTO PUMP SHUT OFF + AUDIBLE AND VISUAL ALARMS
☐ 15. AUTOMATIC LINE LEAK DETECTOR (3.0 GPH TEST) WITHOUT FLOW SHUT OFF OR RESTRICTION	☐ 15. AUTOMATIC LINE LEAK DETECTOR (3.0 GPH TEST)
☐ 16. ANNUAL INTEGRITY TEST (0.1 GPH)	☐ 16. ANNUAL INTEGRITY TEST (0.1 GPH)
☐ 17. DAILY VISUAL CHECK	☐ 17. DAILY VISUAL CHECK

UNDER DISPENSER CONTAINMENT

DISPENSER CONTAINMENT DATE INSTALLED 468 _____

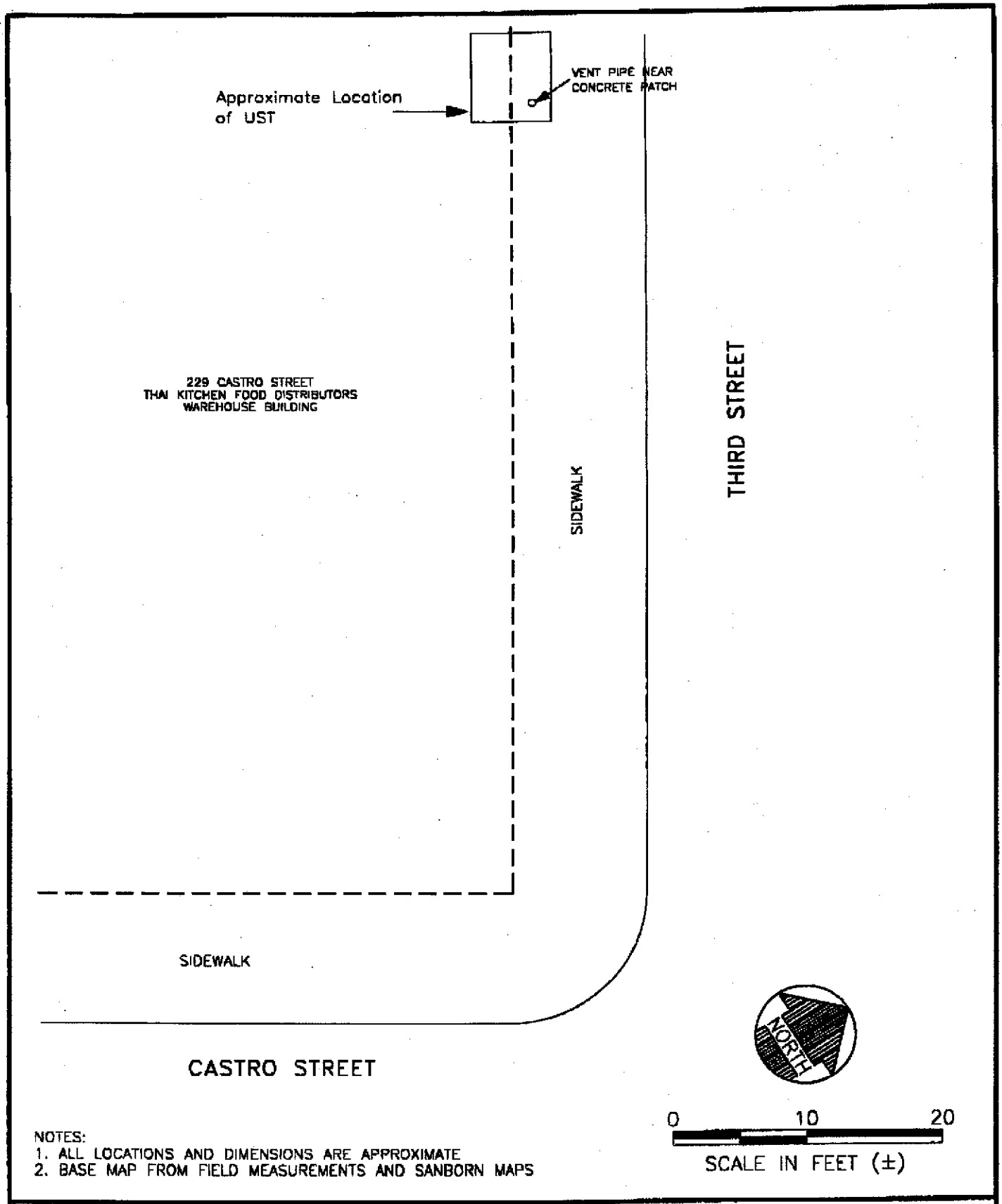
☐ 1. FLOAT MECHANISM THAT SHUTS OFF SHEAR VALVE
☐ 2. CONTINUOUS DISPENSER PAN SENSOR + AUDIBLE AND VISUAL ALARMS
☐ 3. CONTINUOUS DISPENSER PAN SENSOR WITH AUTO SHUT OFF FOR DISPENSER + AUDIBLE AND VISUAL ALARMS
☐ 4. DAILY VISUAL CHECK
☐ 5. TRENCH LINER / MONITORING
☒ 8. NONE 469

OWNER / OPERATOR SIGNATURE

I certify that the information provided herein is true and accurate to the best of my knowledge.

SIGNATURE OF OWNER /OPERATOR	DATE 471
NAME OF OWNER / OPERATOR *(print)* 471	TITLE OF OWNER / OPERATOR 47

Permit Number *(For local use only)* 473	Permit Approved *(For local use only)* 474	Permit Expiration Date *(For local use only)* 47



NOTES:
1. ALL LOCATIONS AND DIMENSIONS ARE APPROXIMATE
2. BASE MAP FROM FIELD MEASUREMENTS AND SANBORN MAPS

SITE MAP	Scale: AS SHOWN	Date: 07/00
	Drawn by: AJG	Approved by: AJG
229 Castro Street Oakland, California	Project No. 044-00006	Figure No. 2

Krazan
ENGINEERS, GEOLOGISTS AND ENVIRONMENTAL SPECIALISTS
Offices Serving the Western United States

Hugo, Susan, Public Health, EHS

From: Alex Gallego [AlexGallego@krazan.com]
Sent: Monday, July 31, 2000 10:14 AM
To: Hugo, Susan
Cc: Block, Stuart; Fey, James; Baseline - Yane Nordhav
Subject: Final text for Mortenson/Port project

Susan:

Per our discussion of this morning, attached are the final text documents for the Conceptual Site Model/Risk Assessment, Short and Long Term Risk Management Plans. The changes to the figures are being made and will be faxed shortly. If you have further questions, please feel free to call me at (408) 271-2200. Thank you for your assistance.

Alex <<CSM04.doc>> <<LTRM.doc>> <<STRM.doc>>

CSM04.doc

LTRM.doc

STRM.doc

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

7/31/02

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

July 31, 2000

Letter picked up by Douglas Herman & James Fey at meeting

Mr. Douglas Herman
Port of Oakland
530 Water Street
Oakland, California 94607

Mr. Tom Lander
Mortenson Development Company
2201 Geary Boulevard
San Francisco, California 94115

RE: Proposed Telecommunications Facility (STID 6690)
720 Second Street and 229 Castro Street, Oakland, California 94607

Dear Messrs. Herman and Lander:

The Alameda County Environmental Health Services (ACEHS) has reviewed the following reports submitted for the above subject site:

- Conceptual Site Model and Risk Assessment (CSM /RA) dated July 7, 2000, prepared by Krazan & Asso.
- Short Term Risk Management Plan (STRMP) dated July 11, 2000, prepared by Krazan & Asso.
- Long Term Risk Management Plan (LTRMP) dated July 11, 2000, prepared by Krazan & Asso.
- Health and Safety Plan, Soil Excavation and Construction dated July 7, 2000, prepared by IHI Environmental, Inc.
- Storm Water Pollution Prevention Plan dated July 10, 2000, prepared by Brian Kangas Foulk
- Site Development Plans dated June 30, 2000

On July 20, 2000, this agency met with Port of Oakland (Douglas Herman), Mortenson Development Co. (Tom Lander and James Fey) and Baseline Environmental (Yane Nordhav) to discuss the various components of the risk management plans and issues of concern this agency has regarding the submitted reports for the site. Following the meeting, numerous correspondences by telephone conversations, faxes and e-mails took place between this office, Port of Oakland, Mortenson Development Co., Baseline Environmental and Krazan & Asso. and resulted in the submittal of the reports listed below:

- Conceptual Site Model and Risk Assessment dated July 31, 2000 prepared by Krazan and Asso.
- Short Term Risk Management Plan dated July 31, 2000 prepared by Krazan and Asso.
- Long Term Risk Management Plan dated July 31, 2000 prepared by Krazan and Asso.

This office has reviewed the above listed reports which addressed issues of concern this agency has regarding the subject site. Based on the information provided to this agency, it appears that the CSM/RA, STRMP and LTRMP comprehensively address the human health and environmental issues during construction and after completion of the planned development (commercial / office uses) of the subject site. However, prior to any construction activities at the site, a closure /removal plan for the reported underground storage tank found at the site must be submitted and approved by this office. In addition, a deed restriction must be recorded for the subject site which requires property owner/s complying with the approved RMP. The deed restriction should be recorded and a copy should be submitted to this agency prior to completion of site development and building occupancy.

It is my understanding that Port of Oakland and Mortenson Development Co. will ensure that the risk management plan will be implemented during redevelopment of the site.

Please notify this office when redevelopment begins and provide us with the schedule of the development at the site.

If you have any questions regarding this letter or the subject site, please contact me at (510) 567-6780.

Sincerely,

Susan L. Hugo
Hazardous Materials Specialist

c: Ariu Levi / Thomas Peacock, Environmental Health Services
Betty Graham, San Francisco Bay RWQCB
Leroy Griffin, Oakland Fire Services
YaneNordhav, Baseline Environmental, 5900 Hollis Street, Suite D, Emeryville, CA 94608
Alex Gallego, Krazan & Associates, Inc., 545 Parrott Street, San Jose, CA 95112
SH / files

Hugo, Susan, Public Health, EHS
From: Hugo, Susan, Public Health, EHS
Sent: Friday, July 28, 2000 4:33 PM
To: 'James Fey'
Subject: FW: Modification to CSM, Insert A

I'm sending you the modification to CSM, Insert A.

Susan L. Hugo
Hazardous Materials Specialist
Environmental Health Services
(510) 567-6780

-----Original Message-----
From: **Hugo, Susan, Public Health, EHS**
Sent: Friday, July 28, 2000 4:14 PM
To: 'Douglas Herman'
Cc: 'Alex Gallego'
Subject: Modification to CSM, Insert A

Doug:

Here's the CSM with some modifications.

Please call or e-mail your comments.

AmendedSCM.doc

Susan L. Hugo
Hazardous Materials Specialist
Environmental Health Services
(510) 567-6780

Hugo, Susan, Public Health, EHS

From: Alex Gallego [AlexGallego@krazan.com]
Sent: Friday, July 28, 2000 2:49 PM
To: Hugo, Susan
Cc: Block, Stuart; Fey, James
Subject: M.A. Mortenson/Port of Oakland Project

Susan:

Per the request of Mr. James Fey, attached are the text for the Conceptual Site Model/Risk Assessment, Short Term Risk Management Plan, and Long Term Risk Management Plan for the referenced project. Please feel free to contact me at 408-271-2200 if you have questions. Thank You.

<<CSM04.doc>> <<LTRM.doc>> <<STRM.doc>>

Alex J. Gallego
Environmental Division Manager


CSM04.doc


LTRM.doc


STRM.doc

Krazan & Associates, Inc.

Hugo, Susan, Public Health, EHS

From: Yane Nordhav [yane@baseline-env.com]
Sent: Thursday, July 27, 2000 9:57 AM
To: shugo@co.alameda.ca.us
Cc: DHerman@portoakland.com; JEAloha@pacbell.net; agallego@krazan.com; sblock@ccnlaw.com
Subject: Mortenson Telecommunications building

Susan. Attached is the DTSC leadspread for your information for 95%UCL and max for lead. We are planning on getting all revised documents to you today, including the Long Term Risk Management Plan and the Conceptual Site Model and Risk Assessment; if you have comments on "Insert A", previously emailed to you, please let us know before finalizing the


Mortenson-LeadSprea d.xls


98379-22.leadspread. wpd

report. Thanks for all your help. Yane

Hugo, Susan, Public Health, EHS

From: Hugo, Susan, Public Health, EHS
Sent: Wednesday, July 26, 2000 9:10 AM
To: 'Douglas Herman'; 'Lydia Huang'
Cc: Levi, Ariu, Public Health, EH; Peacock, Tom, Public Health, EH
Subject: Mortenson Telecommunication Building

Doug / Lydia:

I received the draft insert to the Conceptual Site Model and Risk Assessment. Please e-mail me your spreadsheet calculation using the 90 % UCL. I 'm also waiting for the risk calculations using the maximum lead concentration and 95 % UCL for utility / maintenance / construction workers.

Thanks

Susan L. Hugo
Hazardous Materials Specialist
Environmental Health Services
(510) 567-6780

* Port of Mortenson will be responsible to ensure that RMP is implemented - deed restriction w/ RMP should be recorded & copy submitted to county prior to occupancy of building

Hugo, Susan, Public Health, EHS

From: Todd Taylor [todd@baseline-env.com]
Sent: Wednesday, July 26, 2000 2:07 PM
To: dherman@portoakland.com
Cc: SHugo@co.alameda.ca.us
Subject: Mortenson Project - Total Lead Statistical Calculations

Doug:

Attached please find the 90% and 95% (one-tailed) UCL SW-846 statistical calculations for the proposed Telecom project (previously e-mailed Friday). I have separated the worksheets in the original file into two MS Excel 97 files; no other changes were made to the worksheets.

Please let me know if you have any questions or difficulty with the files.

Thanks,


Mortensen-95UCL.xls


Mortensen-90UCL.xls


ATT509382.txt

Todd

SW-846 STATISTICAL ANALYSIS
Telecommunications Center, Oakland
95% One-Tailed UCL

Sample ID	Depth (ft)	Total Lead
B1-2	2-2.5	46
B2-2	2-2.5	140
B3-2	2-2.5	410
B4-3	3-3.5	780
B5-3	3-3.5	2600
B6-3.5	3.5-4.0	3300
B7-3	3.0-3.5	1000
B8-3.5	3.5-4.0	*0.5*
B9-3	3.0-3.5	3300
S1	0-0.5	280
S2	0-0.5	99
S3	0-0.5	620
S4	0-0.5	180
S5	0.5-1.0	2400
S6	0.5-1.0	590
S7	0.5-1.0	110
S8	0.5-1.0	50
S9	0.5-1.0	310
S10	1.0-1.5	1100
S11	1.0-1.5	180
S12	1.0-1.5	200
S13	1.0-1.5	1100
S14	1.0-1.5	18
S15	1.0-1.5	68
S20	0-0.5	95
S21	1.0-1.5	*0.5*
S22	0.5-1.0	130

Count:	27
Sum:	19107
Mean:	707.67
Variance:	1002457.83
Std. Dev:	1001.23
Std. Error:	192.69
t (95% one-tailed)	1.703
Conf. Int.+ (UCL)	**1035.87**
Conf. Int.- (LCL)	379.47
Max:	3300
Min:	0.5

Note: Total lead was not identified in italicized results above laboratory reporting limits.
One-half the reporting limit was used for the analysis.

SW-846 STATISTICAL ANALYSIS
Telecommunications Center, Oakland
90% One-Tailed UCL

Sample ID	Depth (ft)	Total Lead (mg/kg)
B1-2	2-2.5	46
B2-2	2-2.5	140
B3-2	2-2.5	410
B4-3	3-3.5	780
B5-3	3-3.5	2600
B6-3.5	3.5-4.0	3300
B7-3	3.0-3.5	1000
B8-3.5	3.5-4.0	*0.5*
B9-3	3.0-3.5	3300
S1	0-0.5	280
S2	0-0.5	99
S3	0-0.5	620
S4	0-0.5	180
S5	0.5-1.0	2400
S6	0.5-1.0	590
S7	0.5-1.0	110
S8	0.5-1.0	50
S9	0.5-1.0	310
S10	1.0-1.5	1100
S11	1.0-1.5	180
S12	1.0-1.5	200
S13	1.0-1.5	1100
S14	1.0-1.5	18
S15	1.0-1.5	68
S20	0-0.5	95
S21	1.0-1.5	*0.5*
S22	0.5-1.0	130

Count:	27
Sum:	19107
Mean:	707.67
Variance:	1002457.83
Std. Dev:	1001.23
Std. Error:	192.69
t (90% one-tailed)	1.314
Conf. Int.+ (UCL)	**960.80**
Conf. Int.- (LCL)	454.53
Max:	3300
Min:	0.5

Note: Total lead was not identified in italicized results above laboratory reporting limits.
One-half the reporting limit was used for the analysis.

Todd Taylor
BASELINE Environmental Consulting
(510) 420-8686
(510) 420-1707 fax
todd@baseline-env.com

Hugo, Susan, Public Health, EHS

From: Todd Taylor [todd@baseline-env.com]
Sent: Friday, July 21, 2000 10:30 AM
To: dherman@portoakland.com
Cc: SHugo@co.alameda.ca.us
Subject: Mortenson Project - Total Lead Statistical Calculations

Doug:

Attached is an MS Excel 97 file containing the EPA SW-846 statistical calculations for total lead concentrations for the Mortenson Project. Separate worksheets inside the file calculate the 90% and 95% (one-tailed) UCLs for total lead.

Please let me know if you have any questions or difficulty with the file.

Thanks,


TelecomSW8462.xls


ATT471607.txt

Todd

-----Original Message-----
From: Douglas Herman [SMTP:dherman@portoakland.com]
Sent: Friday, July 21, 2000 10:08 AM
To: yane@baseline-env.com; SHugo@co.alameda.ca.us
Subject: Re: UCL Spreadsheet Calculations

Yane:

Please send the calculations at your earliest convenience.

Thanks,
dph

>>> "Hugo, Susan, Public Health, EHS" <SHugo@co.alameda.ca.us> 07/20/00 06:03PM
>>>
Hi Doug:

Can you please ask Yana to e-mail me her UCL (using both 80 % & 95%)
spreadsheet calculations for the Mortenson project.

Thanks

Susan L. Hugo
Hazardous Materials Specialist
Environmental Health Services
(510) 567-6780

Hugo, Susan, Public Health, EHS

From: Douglas Herman [dherman@portoakland.com]
Sent: Tuesday, July 25, 2000 10:03 AM
To: SHugo@co.alameda.ca.us
Cc: todd@baseline-env.com; jealoha@pacbell.net
Subject: Re: Risk Calculation for Mortenson Project

Todd:

Please run the calculations and provide to Susan at your earliest convenience.

Thanks,
dph

"Hugo, Susan, Public Health, EHS" <SHugo@co.alameda.ca.us> 07/25/00 09:40AM >>>
Doug:

I received the lead spreadsheet calculations. Thank you. We need to run a risk calculation based on the lead data we have. Although the site will be capped, I like to see what the risk is using construction workers as our most conservative receptor. Let us evaluate the risk using the following:

1) maximum concentration
2) 95 % UCL

Please e-mail me the calculations.

Thanks

Susan L. Hugo
Hazardous Materials Specialist
Environmental Health Services
(510) 567-6780

Hugo, Susan, Public Health, EHS
From: Hugo, Susan, Public Health, EHS
Sent: Tuesday, July 25, 2000 9:25 AM
To: 'agueda'
Cc: Hugo, Susan, Public Health, EHS
Subject: FW: UCL Spreadsheet Calculations

Susan L. Hugo
Hazardous Materials Specialist
Environmental Health Services
(510) 567-6780

-----Original Message-----
From: Hugo, Susan, Public Health, EHS
Sent: Tuesday, July 25, 2000 9:18 AM
To: 'Douglas Herman'
Cc: 'Todd Taylor'; Levi, Ariu, Public Health, EH; Peacock, Tom, Public Health, EH
Subject: FW: UCL Spreadsheet Calculations

I'm re-sending this message again.The first time I did it, I got a message that it was not transmitted.
Please let me know that you got this message.

Thanks.

Susan L. Hugo
Hazardous Materials Specialist
Environmental Health Services
(510) 567-6780

-----Original Message-----
From: Hugo, Susan, Public Health, EHS
Sent: Tuesday, July 25, 2000 9:10 AM
To: 'Douglas Herman'
Cc: Levi, Ariu, Public Health, EH; Peacock, Tom, Public Health, EH; 'Todd Taylor'
Subject: RE: UCL Spreadsheet Calculations

Doug:

We need to run a risk calculation based on the lead data we have. Although, the site will be capped, I like to see what the risk is using construction workers as our most conservative receptor. Let us evaluate the risk using the following:
1. maximum concentration
2. 95 % UCL

Please e-mail me the calculations.

Thanks

Susan L. Hugo
Hazardous Materials Specialist
Environmental Health Services
(510) 567-6780

Hugo, Susan, Public Health, EHS

From: Lydia Huang [lydia@baseline-env.com]
Sent: Tuesday, July 25, 2000 12:35 PM
To: shugo@co.alameda.ca.us
Cc: dherman@portoakland.com
Subject: Telecomm Building

Hi Susan,
Please find attached a draft insert to the Conceptual Site Model and Risk Assessment for the telecomm building. After receiving and incorporating your comments, the document will be revised to include the insert. Please provide comments today if at all possible. Thank you.


98379-22.insA.doc


ATT497109.txt

INSERT A on page 7, 2nd paragraph. Eliminate last sentence and replace with this in the Conceptual Site Model and Risk Assessment

The 90% UCL (one tailed) lead concentration (961 mg/kg) was below the PRG for lead for industrial sites while the 95% UCL (one tailed) (1,036 mg/kg) was above the PRG[1]. The PRG for industrial sites is 1,000 mg/kg. The 1,000 mg/kg risk-based threshold assumes that no engineering or institutional controls are implemented at a site and includes inhalation, dermal, and ingestion exposures. Because the 95% UCL for lead was above the PRG for industrial sites, the project design includes engineering and institutional controls to minimize or eliminate exposure for construction workers, future utility workers, and future site users associated with the reuse of on-site soils.[2] The engineering and institutional controls, detailed in the Short Term and Long Term Management plans for this project include:

- Capping of the entire Site with either building foundation, asphalt parking lot, or two feet of clean imported soil in landscaped areas. These are permanent features for the life of the project that will be inspected on an annual basis.

- Placement of all electrical and fiber lines in conduits from the sidewalks into the building. This will eliminate the need for trenching on the Site when tenants change or additional providers wish access to the facility. In addition, excess capacity in the conduits have been provided, further limiting the possibility of having to trench across the Site.

- Placement of reused soils at a minimum of two feet above the groundwater table to eliminate leaching potential of contaminants of concern into the groundwater. In addition, the Site will be capped, further minimizing infiltration through the fill and thus decreasing the potential for leaching of contaminants into the groundwater as compared to existing conditions.

- Excavation for elevator shafts will occur after fill material has been removed, and the project will use piers rather than piles to support the walls in the equipment yard. Both actions will eliminate the potential of introducing fill materials into the underlying Merritt Sands.

- Implementation of all construction activities in accordance with a health and safety plan to minimize construction worker and future utility worker exposure prior to construction of the slab-on-grade.

---

[1]The 90% UCL was used to characterize the soils quality. A 90% UCL corresponds to a 90% probability that the true mean concentration of total lead concentration at the site is below 961 mg/kg. A 95% UCL increases the probability to 95% indicating that there is a 95% probability that the true mean of total lead concentration at the site is below 1,036 mg/kg.

[2]Excavated soils that are not reused on the site will be hauled and disposed of off-site as waste. The waste will be classified by sampling in accordance with applicable disposal facility requirements.

- Port to provide oversight that all construction will be implemented in accordance with County-approved procedures.

- Preparation of a deed restriction for the Site ensuring that the land use is consistent with the environmental conditions at the Site to the satisfaction of ACEHS or other approving agencies.

- Final as built drawings incorporating presence of removed lead contaminated soil.

INSERT A on page 7, 2nd paragraph. Eliminate last sentence and replace with this in the Conceptual Site Model and Risk Assessment

The 90% UCL (one tailed) lead concentration (961 mg/kg) was below the PRG for lead for industrial sites while the 95% UCL (one tailed) (1,036 mg/kg) was above the PRG[1]. The PRG for industrial sites is 1,000 mg/kg. The 1,000 mg/kg risk-based threshold assumes that no engineering or institutional controls are implemented at a site and includes inhalation, dermal, and ingestion exposures. Because the 95% UCL for lead was above the PRG for industrial sites, the project design includes engineering and institutional controls to minimize or eliminate exposure for construction workers, future utility workers, and future site users associated with the reuse of on-site soils.[2] The engineering and institutional controls, detailed in the Short Term and Long Term Management plans for this project include:

- Capping of the entire Site with either building foundation, asphalt parking lot, or two feet of clean imported soil in landscaped areas **and utility trenches in the parking lot where future maintenance workers will be digging in the soil.** These are permanent features for the life of the project that will be inspected on an annual basis.

- Placement of all electrical and fiber lines in conduits from the sidewalks into the building. This will eliminate the need for trenching on the Site when tenants change or additional providers wish access to the facility. In addition, excess capacity in the conduits have been provided, further limiting the possibility of having to trench across the Site.

- Placement of reused soils at **designated areas with** a minimum of two feet above the **highest** groundwater table to eliminate leaching potential of contaminants of concern into the groundwater. In addition, the Site will be capped, further minimizing infiltration through the fill and thus decreasing the potential for leaching of contaminants into the groundwater as compared to existing conditions. **Reused soil will be buried /covered in a manner that will prevent accidental or deliberate breaching of the cap.**

- Excavation for elevator shafts will occur after fill material has been removed, and the project will use piers rather than piles to support the walls in the equipment yard. Both actions will eliminate the potential of introducing fill materials into the underlying Merritt Sands.

- Implementation of all construction activities in accordance with a health and safety plan

---

[1]The 90% UCL was used to characterize the soils quality. A 90% UCL corresponds to a 90% probability that the true mean concentration of total lead concentration at the site is below 961 mg/kg. A 95% UCL increases the probability to 95% indicating that there is a 95% probability that the true mean of total lead concentration at the site is below 1,036 mg/kg.

[2]Excavated soils that are not reused on the site will be hauled and disposed of off-site as waste. The waste will be classified by sampling in accordance with applicable disposal facility requirements.

to minimize construction worker and future utility worker exposure prior to construction of the slab-on-grade.

- Port to provide oversight that all construction will be implemented in accordance with County-approved procedures.

- Preparation of a deed restriction for the Site ensuring that the land use is consistent with the environmental conditions at the Site to the satisfaction of ACEHS or other approving agencies.

✓ • **Final as-built drawings will incorporate presence / location of reused soil at the site.**

Submit results of sampling during construction

INSERT A on page 7, 2nd paragraph. Eliminate last sentence and replace with this in the Conceptual Site Model and Risk Assessment

The 90% UCL (one tailed) lead concentration (961 mg/kg) was below the PRG for lead for industrial sites while the 95% UCL (one tailed) (1,036 mg/kg) was above the PRG[1]. The PRG for industrial sites is 1,000 mg/kg. The 1,000 mg/kg risk-based threshold assumes that no engineering or institutional controls are implemented at a site and includes inhalation, dermal, and ingestion exposures. Because the 95% UCL for lead was above the PRG for industrial sites, the project design includes engineering and institutional controls to minimize or eliminate exposure for construction workers, future utility workers, and future site users associated with the reuse of on-site soils.[2] The engineering and institutional controls, detailed in the Short Term and Long Term Management plans for this project include:

- Capping of the entire Site with either building foundation, asphalt parking lot, or two feet of clean imported soil in landscaped areas. These are permanent features for the life of the project that will be inspected on an annual basis.

- Placement of all electrical and fiber lines in conduits from the sidewalks into the building. This will eliminate the need for trenching on the Site when tenants change or additional providers wish access to the facility. In addition, excess capacity in the conduits have been provided, further limiting the possibility of having to trench across the Site.

- Placement of reused soils at a minimum of two feet above the groundwater table to eliminate leaching potential of contaminants of concern into the groundwater. In addition, the Site will be capped, further minimizing infiltration through the fill and thus decreasing the potential for leaching of contaminants into the groundwater as compared to existing conditions.

- Excavation for elevator shafts will occur after fill material has been removed, and the project will use piers rather than piles to support the walls in the equipment yard. Both actions will eliminate the potential of introducing fill materials into the underlying Merritt Sands.

- Implementation of all construction activities in accordance with a health and safety plan to minimize construction worker and future utility worker exposure prior to construction of the slab-on-grade.

---

[1]The 90% UCL was used to characterize the soils quality. A 90% UCL corresponds to a 90% probability that the true mean concentration of total lead concentration at the site is below 961 mg/kg. A 95% UCL increases the probability to 95% indicating that there is a 95% probability that the true mean of total lead concentration at the site is below 1,036 mg/kg.

[2]Excavated soils that are not reused on the site will be hauled and disposed of off-site as waste. The waste will be classified by sampling in accordance with applicable disposal facility requirements.

- Port to provide oversight that all construction will be implemented in accordance with County-approved procedures.

- Preparation of a deed restriction for the Site ensuring that the land use is consistent with the environmental conditions at the Site to the satisfaction of ACEHS or other approving agencies.

Hugo, Susan, Public Health, EHS

From: Lydia Huang [lydia@baseline-env.com]
Sent: Tuesday, July 25, 2000 12:35 PM
To: shugo@co.alameda.ca.us
Cc: dherman@portoakland.com
Subject: Telecomm Building

Hi Susan,
Please find attached a draft insert to the Conceptual Site Model and Risk Assessment for the telecomm building. After receiving and incorporating your comments, the document will be revised to include the insert. Please provide comments today if at all possible. Thank you.


98379-22.insA.doc


ATT497109.txt

30 mg/l

FAXCOVER

gwc 6690

KRAZAN & ASSOCIATES, INC.

545 PARROTT STREET, SAN JOSE, CA 95112

(408) 271-2200, (408) 271-2201 FAX

OFFICES SERVING THE WESTERN UNITED STATES

SHEET

Attention: Ms. Susan Hugo

Fax #: ____

Telephone #: ____

Company Name: Alameda County Health Care Services Agency

Date: 7/12/00

From: Alex Gallego

COMMENTS: Attached is the letter summarizing the information previously transmitted to you and responding to your letter of June 23, 200 to Mortenson and the Port. Please call w/ questions. Thank You.

Please advise us immediately if you do not receive complete transmittal or if you have received this transmittal in error.

No. of pages, including transmittal sheet 5

___Original will not follow

_x_Original will follow

_x_ Regular Mail

___Courier

___Federal Express

___Other________

GEOTECHNICAL *ENVIRONMENTAL* *CONSTRUCTION TESTING*

Krazan & ASSOCIATES, INC.

GEOTECHNICAL ENGINEERING • ENVIRONMENTAL ENGINEERING
CONSTRUCTION TESTING & INSPECTION

July 12, 2000

Project No. 044-00006

Ms. Susan Hugo, Hazardous Materials Specialist
Alameda County Health Care Services Agency
Environmental Health Services
1131 Harbor Bay Parkway, Suite 230
Alameda, CA 94502

RE: Proposed Commercial Development
720 Second Street and 229 Castro Street
Oakland, California

Dear Ms. Hugo:

On behalf of M.A Mortenson Company (Mortenson) and the Port of Oakland (Port), Krazan & Associates, Inc. (Krazan) has prepared and/or provided to the Alameda County Health Care Services Agency (ACHCSA) a number of documents responding to your letter to Mortenson and the Port dated June 23, 2000 in order to assist the ACHCSA in evaluating the above-referenced Site. Those documents include:

MISSING

- *Soil and Groundwater Investigation, Proposed Commercial Development, 720 Second Street & 229 Castro Street, Oakland, California*, dated May 3, 2000 (Report of Soil and Groundwater Investigation);
- *Conceptual Site Model and Risk Assessment, Proposed Commercial Development, 720 Second Street & 229 Castro Street, Oakland, California*, dated July 7, 2000 (CSM/RA);
- *Site Development Plan*
- *Short Term Risk Management Plan, Proposed Commercial Development, 720 Second Street & 229 Castro Street, Oakland, California*, dated July ~~11~~ 10?, 2000 (STRMP)
- *Health and Safety Plan, Soil Excavation and Construction, Oakland Telecom Access Center Development, Oakland, California*, IHI Environmental, Inc., July 11, 2000 (HSP);

- *Long Term Risk Management Plan, Oakland Telecom Access Center, Second Street & Brush Street, Oakland, California*, dated July ~~11~~, 2000 (LTRMP);
- *Storm Water Pollution Prevention Plan* (SWPPP) 10
- *Contingency Plan.* ? (Short Term RMP)

Each of the documents has been previously provided to you under separate cover. For your convenience, this letter sets forth how (and where) the above documents specifically respond to each of the ten numbered items identified in your June 23 letter.

Item 1. Suspected UST. Based on Krazan's environmental investigation, as summarized in Krazan's Report of Soil and Groundwater Investigation, it is likely that a small (underground storage tank (UST) is located along 3rd Street near the warehouse at 229 Castro Street. The UST, including its associated piping, likely extends beneath the warehouse building and the removal will need to be conducted following demolition of the on-site structures and initiation of the project. Mortenson is in the process of obtaining the necessary permits for removal of the UST and plans to remove the vessel prior to development of the Site, following the ACHCSA's approval of the project as outlined in the documents provided.

need to submit removal plan

Item 2. Lead as Target Analyte in Groundwater. Pursuant to your request, Krazan extracted samples from the Site in June 2000 and analyzed those samples for lead. As discussed in Section 4.1 of CSM/RA (and shown in the laboratory report in Appendix A of that document) each sample was non-detect for lead. ← filtered or unfiltered samples ?

Item 3. CSM/RA. In response to your request, Krazan prepared the CSM/RA, which was delivered to you on July ~~10~~ 11, 2000. The CSM/RA analyzed potential sources of releases, chemicals of concern, routes of exposure, and sensitive receptors. The CSM/RA also includes a human and ecological risk assessment for the Site. The CSM/RA demonstrates that that, under the proposed development plan, there will be no additional risk to human or ecological receptors.

Item 4. STRMP and LTRMP. In response to your request, Krazan prepared the STRMP, which was delivered to you on July 11, 2000. The STRMP includes the HSP, a soil management plan, a groundwater management plan, dust control measures, a stormwater pollution prevention plan (SWPPP), and preventative measures to avoid vertical conduits for potential contaminant migration from shallow to deeper groundwater. The HSP was prepared for the Site by IHI Environmental, Inc. of Emeryville, California, and was referenced in the STRMP. The HSP was delivered to you on July 11, 2000. The soil management plan, groundwater management plan, and dust control measures are discussed in Sections 5.0 and 6.0 of the STRMP. The SWPPP was prepared for the Site by Brian Kanges Faulk, the State licensed civil engineer for the project, and was referenced in the STRMP. The SWPPP was transmitted to you on July

11, 2000. Measures to protect the groundwater at the subject site were discussed in Section 3.0 of the STRMP.

Krazan has also prepared the LTRMP, which was delivered to you on July 11, 2000. The LTRMP discusses health and safety issues for future workers at the Site and references the HSP prepared by IHI Environmental, Inc. which was transmitted to you on July 11, 2000. The LTRMP also discusses other aspects of future risk management, such as institutional controls and inspections in Section 4.0. Deed restrictions

Item 5. Reuse of Site Soils. The reuse of soil at the Site is discussed in the CSM/RA and the STRMP. As demonstrated in the CSM/RA, the concentrations of chemicals of potential concern (COPC) at the Site do not present a risk to future occupants of the building or to the environment. The construction work plan discussed in Section 3.0 of the STRMP discusses how the soil will be reused, location, preventative measures to avoid being in direct contact with groundwater and approximate amount of soil that will be generated during construction activities.

Item 6. Sampling. The evaluation of the Site by Krazan was based on numerous soil and groundwater investigations conducted in accordance with characterization guidelines established by, and summarized in the U.S. Environmental Protection Agency *Test Methods for Evaluating Solid Waste, Physical/Chemical Methods (SW-846).* It is our judgement that further characterization activities are not needed to evaluate the proposed use of the Site.

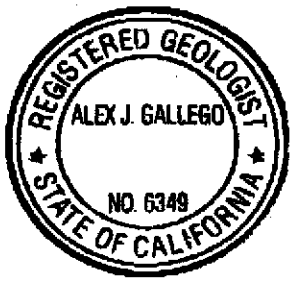
Item 7. Development Plan. The Site Development Plan, which includes a number of maps showing the proposed building layout, landscaping areas, utility lines, and a discussion of the project, including the known sources or potential sources of contamination, was transmitted to you by Mr. James Fey on July 11, 2000. ✓

Item 8. Contingency Plan. The Contingency Plan is discussed in Section 8.0 of the STRMP and includes the procedures which will be followed if unexpected or unusual conditions are encountered during Site development activities. ✓

Item 9. Implementation. As discussed in the STRMP, Mortenson will oversee of the STRMP, including the Contingency Plan, during construction activities. ✓

Item 10. Reporting. Following the development of the Site, a report will be prepared and submitted to ACHCSA documenting the excavation and placement of soil, soil and groundwater removed from the subject site, and health and safety monitoring.

We hope that this letter, and the reports provided have fully addressed the concerns raised in your June 23 letter. If you have any further questions, please do not hesitate to contact me at (408) 271-2200.



Very truly yours,
Krazan & Associates, Inc.

ALEX J. GALLEGO, RG 6349
Director of Environmental Services

CC: Mr. Stuart Block, Cox, Castle & Nicholson, LLP
Mr. Marvin Doster, Thomas Management West
Mr. James Fey
Mr. Douglas Herman, Port of Oakland
Ms. Yane Nordhav, Baseline Environmental, Inc.

Rec'd 7/9/01 SH

CITY OF OAKLAND

250 FRANK H. OGAWA PLAZA, SUITE 3330 • OAKLAND, CALIFORNIA 94612-2032

Community and Economic Development Agency
Planning & Zoning Services Division

(510) 238-3941
FAX (510) 238-6538
TDD (510) 839-6451

July 3, 2001

Susan Hugo
Alameda County Environmental Health Department
1131 Harbor Bay Parkway
Alameda, CA 94502

Dear Ms. Hugo:

Hernan Gomez of the City's Fire Department forwarded me your e-mail dated June 7, 2001 regarding a deed restriction for the Oakland Telecom Access Center located at 720 Second Street. The City's Planning Department concurs with the County's requirement to record a deed restriction regarding the lead contaminated soil on the site prior to occupancy of the building. Mortenson Development should submit a final recorded copy of the deed restriction to the Planning and Fire Departments for verification.

If you need anything further, please contact me at 238-6168.

Sincerely,

Lynn Warner
Planning Department

cc: Hernan Gomez, Fire

CITY OF OAKLAND

COMMUNITY & ECONOMIC DEVELOPMENT AGENCY
250 FRANK H. OGAWA PLAZA, SUITE 3330
OAKLAND, CALIFORNIA 94612-2032

Susan Hugo
Alameda County Environ. Health Dept.
1131 Harbor Bay Parkway
Alameda, CA 94502

94502+6540

__ July 2000

Mr. Douglas Herman
Port of Oakland
530 Water Street
Oakland, CA 94607

Mr. Tom Lander
M.A. Mortenson Company
700 Meadow Lane North
P.O. Box 710 (55440)
Minneapolis, MN 55442

Subject: Approval of Soil and Groundwater Management Procedures for Development of the Proposed Telecommunications Facility (STID 6690), 720 Second Street and 229 Castro Street, Oakland, California 94607

Dear Messrs. Herman and Lander:

The Alameda County Environmental Health Services (ACEHS) has been requested by the Port of Oakland (Port) and M.A. Mortenson Company (Mortenson) to review known environmental conditions at, and to approve proposed soil and groundwater management procedures, for the proposed Telecommunication Facility at 720 Second Street in Oakland. For that purpose, ACEHS received a report, *Soil and Groundwater Investigations*, dated 3 May 2000, prepared by Krazan & Associates (Krazan) on behalf of the Port and Mortenson. Following review of that report and a site reconnaissance, we prepared a letter, dated 23 June 2000, identifying issues that needed to be resolved prior to ACEHS being able to consider the soil and groundwater management procedures, and short and long term risk management plans proposed by the Port and Mortenson.

In response to our 23 June 2000 letter, we received the following documents on 10, 11, and 12 July 2000 from Krazan:

1. *Conceptual Site Model and Risk Assessment, Proposed Commercial Development 720 Second Street & 229 Castro Street, Oakland, California*, dated 7 July 2000

2. *Site Development Plan*

3. *Short Term Risk Management Plan, Proposed Commercial Development, 720 Second Street & 229 Castro Street, Oakland, California*, dated 11 July 2000

4. *Health and Safety Plan, Soil Excavation and Construction, Oakland Telecom Access Center Development, Oakland, California*, 11 July 2000

5. *Long Term Risk Management Plan, Oakland Telecom Access, 720 Second Street & 229 Castro Street, Oakland, California*, 11 July 2000

6. *Stormwater Pollution Prevention Plan*

7. *Contingency Plan*

On the basis of the data and information presented in these plans we understand that the site is underlain by artificial fill to a depth of about five feet below the ground surface (bgs), which is underlain by the Merritt Sands of the San Antonio Formation. Groundwater was identified at a depth of about six feet bgs during the time of subsurface investigations at the site.

Historic land uses at the site have included residential and industrial. The site is currently occupied by the Port maintenance yard and a restaurant supplies distribution company. One underground fuel storage tank is suspected of being located along the Third Street frontage under the sidewalk.

The subsurface investigations identified lead and polynuclear aromatic compounds (PAHs) to be contaminants of potential concern in the fill material. No contaminants of potential concern were identified in the underlying native materials. The contaminants of potential concern were identified after the site had been characterized in accordance with U.S. EPA guidance for site characterization (SW-846) through random sampling of the soils. The analytical results indicated that the 90% Upper Confidence Level (UCL) (one tailed) for total lead in the fill was 961 mg/kg and the 95% UCL (one tailed) was 1,036 mg/kg. The 90% UCL was below the Preliminary Remediation Goal (PRG) for industrial land uses and the 95% UCL was above the PRG for lead of 1,000 mg/kg. The PAH concentrations were below the PRGs for inhalation and ~~dermal contact~~ but exceeded dermal / ingestion

Groundwater grab samples were collected from borings drilled on-site and analyzed for organic compounds. One location contained compounds above the laboratory reporting limits; that sample was collected adjacent to the suspected underground fuel storage tank along Third Street. Three hydropunches were also installed at the site and the groundwater was analyzed for lead, the on-site contaminant of concern. Lead was not identified at concentrations above the laboratory reporting limits.

The proposed project consists of construction of a telecommunications building. The site would accommodate the building, an at-grade parking lot, an equipment yard containing back-up generators at-grade, and landscaped areas. In the building foot-print, excavation would occur to a depth of about five feet bgs. The excavated soil (fill material) would be temporarily stockpiled on-site in the area of the future parking lot. After the fill material has been removed, two 55-foot shafts would be excavated within the Merritt Sands for elevators. A concrete foundation, about two feet in thick, would then be laid across the building foot print and utility conduits would be constructed (electrical and fiber lines would be placed within the conduits). The excavated soils would then be replaced on top of the foundation prior to constructing the concrete slab for the floor for the ground level of the building. ~~Minor amounts of excavated soil may also be placed~~

~~beneath the future parking area to match the grade with the building entrances.~~ Sanitary sewer and storm sewer lines would be placed in trench(es) within the parking lot area; these trench(es) would be backfilled with clean imported fill. The parking area would be paved. Landscaped areas (about three percent of the entire site) would be covered with two feet of clean imported soil. Any soil not reused on the site would be removed for off-site disposal; Mortenson estimates that about 1,722 cubic yards (about 2,675 tons) of the 9,000+ cubic yards of soil to be excavated would require off-site disposal. The excess soil would be classified in accordance with landfill requirements prior to off-haul.

Our 23 June 2000 letter to Messrs. Lander and Herman requested clarification and data for ten items concerning site conditions and the related soil and groundwater management procedures proposed by the Port and Mortenson. During a meeting on 20 July 2000 between the Port, Mortenson, BASELINE Environmental Consulting, and ACEHS staff, and subsequent revisions to previously submitted plans, we find that our concerns identified in the 23 June 2000 letter have been adequately addressed, as follows:

1. Mortenson will submit a closure application for closure of the tank under the pavement on Third Street by 28 July 2000 to the County and the City of Oakland.

2. Mortenson installed three hydropunches, screened within the fill material, and collected three groundwater samples in June 2000. The samples were filtered in the field and preserved prior to submittal to the laboratory for analysis of total lead. Lead was not identified above the laboratory reporting limit of 0.015 mg/L.

3. Krazan prepared a Conceptual Site Model and Risk Assessment for the site. During and following site development, potential human exposure to chemicals of concern was identified for construction workers and future utility workers. During operation of the building, no exposures were identified for site users because there would be no complete exposure routes. The entire site would be permanently capped with either building foundation, asphalt in the parking lot, or two feet of clean imported soil in landscaped areas.

Contaminants present in the groundwater underlying the site would ultimately discharge into the Inner Harbor and could potentially affect aquatic receptors. Accordingly, aquatic organisms in the Inner Harbor were identified as the potential ecological receptors. Groundwater samples collected from 10 locations on the site and analyzed for organic compounds and lead did not contain chemical compounds above the laboratory reporting limits, except near the suspected underground fuel storage tank. Groundwater samples collected in the downgradient direction (southeast to southwest) from the suspected fuel tank location did not contain the tank-related compounds. After development, the site will be almost completely covered with asphalt or buildings. The infiltration of rain water through the on-site soils will be greatly reduced. Therefore, the potential for contaminants in the soil to leach into groundwater will be greatly reduced as compared to existing conditions. On the basis of the data collected on the site, it was concluded that site contaminants do not pose a risk to aquatic ecological receptors.

My comments on the conceptual site model exposure routes for construction workers, and evaluation of risks associated with the 95% UCL (one tailed) for lead in soil as opposed to the 90% UCL (one tailed), as discussed during the 20 July meeting, were adequately addressed in a revised document, received from Krazan on 26 July 2000. The revised document also included an addition to Figure 3, depicting the location of the two proposed elevator shafts extending to a depth of 55 feet bgs.

4. A Short Term Risk Management Plan, a Stormwater Pollution Prevention Plan, and a Health and Safety Plan for construction workers was prepared by Krazan. The Plans described soil management, groundwater management from dewatering activities, dust control measures, measures to prevent vertical migration of contaminants in the groundwater, stormwater control, and construction worker health and safety.

My comments regarding referencing an "approved" Conceptual Site Model and Risk Assessment were addressed in the revised Short Term Risk Management Plan submitted on 26 July 2000.

The Long Term Risk Management Plan included reference to the Health and Safety Plan for the protection of future construction workers and engineering and institutional controls to be imposed on site development and operation.

Responses to my comments on the deed restriction language are being coordinated with Mortenson to ensure compatibility with deed restriction language being developed by the Regional Water Quality Control Board.

5. The Short Term Risk Management Plan adequately delineates that excavated soils will be reused on the site. Any waste generated on the site (i.e., excess soil that cannot be reused on-site) will be disposed of off-site at a permitted disposal facility after having been properly characterized. Reuse of the soil on-site will be subject to engineering and institutional controls to ensure that construction workers and future users of the site are not exposed to residual contaminants present in the reused soils. Approximately 1,722 cubic yards of the 9,000+ cubic yards of excavated materials will constitute a waste to be disposed of off-site. The remaining materials will be reused on-site.

6. The Contingency Plan for the site adequately indicates that additional sampling may occur at the site if site excavation were to reveal any contaminant "hot spots".

7. On 11 July 2000, Krazan submitted three plates: 1) Erosion and Sediment Control Plan, 2) Site Demolition Plan, and 3) Utility Sheet 100, showing utilities on the site, the proposed building footprint, and equipment yard. The project does not include any basements or underground parking garages. Sources of contamination were evaluated in the Phase I report and Conceptual Site Model prepared by Krazan and previously submitted to ACEHS. Excavation of the site was described in the Short Term Risk Management Plan.

My comments on the plates regarding the legend were adequately responded to in the submittal of revised plans on 26 July 2000.

8. A Contingency Plan was contained within the Short Term Risk Management Plan. A flowchart included procedures to be implemented during construction in the event of discovery of "hot spot" areas during construction.

My comments regarding notification to the County in the event of discovery of "hot spots" were adequately addressed in the submittal of a revised Short Term Risk Management Plan on 26 July 2000 that included notification to the County in case of "hot spot" discovery.

9. The Port has retained BASELINE Environmental Consulting (BASELINE) to oversee construction activities at the site. BASELINE would monitor construction activities for compliance with the Short Term Risk Management Plan, soil and groundwater management procedures, Stormwater Pollution Prevention Plan (SWPPP), Contingency Plan, and Health and Safety Plan.

10. Following completion of project construction, BASELINE will document construction activities, including locations of reused soils on the site, fate of off-hauled materials, and groundwater management activities.

Based on our review of the materials presented, the plans prepared by Krazan on behalf of the Port and Mortenson are considered by ACEHS to be adequate for short and long term risk management of the site, and the plans are hereby approved. No additional action with respect to environmental conditions is required at this time. Should conditions arise during site excavation that are different from the conditions described or planned for in any of the plans submitted to ACEHS, the Port and/or Mortenson shall notify ACEHS immediately.

If you have any questions, please contact me at (510) 567-6780.

Sincerely,

Susan Hugo
Hazardous Materials Specialist

cc: Ariu Levi/Thomas Peacock, Environmental Health Services
Betty Graham, San Francisco RWQCB
Leroy Griffin, Oakland Fire Services
Yane Nordhav, Baseline Environmental, 5900 Hollis St., Suite D, Emeryville, CA 94608
SH/files

Hugo, Susan, Public Health, EHS

From: Lydia Huang [lydia@baseline-env.com]
Sent: Wednesday, July 26, 2000 4:08 PM
To: shugo@co.alameda.ca.us
Cc: dherman@portoakland.com; sblock@ccnlaw.com
Subject: Draft letter for County

Hi Susan,

Please find attached a draft letter for your consideration. Because this file was converted in MS Word from word perfect, you may need to fix minor formatting problems introduced by the conversion. Thanks.


98379-22.ltr726.doc


ATT511123.txt

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

June 23, 2000

Mr. Douglas Herman
Port of Oakland
530 Water Street
Oakland, California 94607

Mr. Tom Lander
Mortenson Development Company
2201 Geary Boulevard
San Francisco, California 94115

RE: Proposed Telecommunications Facility (STID 6690)
720 Second Street and 229 Castro Street, Oakland, California 94607

Dear Messrs. Herman and Lander:

The Alameda County Environmental Health Services (ACEHS) has reviewed the report entitled "Soil and Groundwater Investigations" dated May 3, 2000, prepared by Krazan & Associates, Inc. for the above subject site. I have also received copies of log of borings B-1 to B-8 via fax provided by Baseline Environmental Consulting on June 22, 2000. The site will be developed into a multi-story telecommunications switching facility designed to serve fiber optic, telephone and internet service providers worldwide.

Results of the soil samples collected at the site identified the presence polynuclear aromatic hydrocarbons (PAHs), metals, petroleum hydrocarbons, and volatile organic compounds (VOCs). Groundwater sample collected from boring B-8 near the suspected underground storage tank (UST) found total petroleum hydrocarbon as gasoline and VOCs.

Based on the review of the report, the following issues must be addressed prior to development of the subject site:

1. The presence or absence of the suspected UST at 229 Castro Street must be identified. If the UST is present at the site, a closure plan must be submitted to this agency to facilitate the removal of the tank. Soil and/or groundwater must be collected to confirm any releases associated with the tank.

2. Elevated levels of lead were detected in soil at the site. Lead must be added as target analyte in groundwater.

3. A site conceptual model should be prepared which will identify sources of releases, chemicals of concern (COCs), routes of exposures, and sensitive receptors. This should include human and ecological risk assessment for the site.

4. A short term and long term risk management plans should be submitted. The short term (construction) risk management plan should include at a minimum the following elements: acceptable health & safety plan for construction workers, soil management plan, groundwater management plan, dust control, stormwater prevention plan and preventive measures to not create any vertical conduits for contaminants to migrate from shallow to deeper groundwater. The long term (future) risk management plan should include health and safety plan for future construction workers such as utility workers who maybe exposed to residual contaminants that will be left at the site and institutional controls such as capping and deed restrictions that may be required at the site.

5. It is my understanding that soil generated as part of the construction activities is proposed for reuse at the site. Please submit a work plan regarding the proposed reuse of soil. Your plan should discuss soil management issues such as acceptable levels of contaminants present in the soil that will not posed a risk to human health and the environment, how the soil will be reused, location, preventive measures to avoid soil being in direct contact with groundwater and approximate amount of soil that will be generated during construction activities.

6. To validate the site conceptual model, additional soil and groundwater samples may be required at the site.

7. A site development plan should be submitted and should include at a minimum the following items: description of the project; site map with the location of the proposed buildings, landscapes, basements, underground parking garages, utility lines, known sources or potential source of contamination; and extent of excavation, if any, associated with construction activities at the site.

8. A contingency plan should be prepared for the site. The plan should include steps to be taken in the event that an unexpected or unusual condition is encountered during construction activities at the site. This may include uncovering abandoned tanks and associated pipings, hot spots and/or contamination. Please include a flowchart of steps to be taken as part of the contingency plan.

9. Notify this agency as to who will be responsible in making sure that the approved short term risk management plan and contingency plan are implemented during construction activities at the site.

10. A report should be submitted after completion of the development and should include at a minimum copies of any soil and/or groundwater disposed off site, results of soil and groundwater sampling, etc.

If you have any questions, please contact me at (510) 567-6780.

Sincerely,

Susan L. Hugo
Hazardous Materials Specialist

c: Ariu Levi / Thomas Peacock, Environmental Health Services
Betty Graham, San Francisco Bay RWQCB
Leroy Griffin, Oakland Fire Services
YaneNordhav, Baseline Environmental, 5900 Hollis Street, Suite D, Emeryville, CA 94608
SH / files

To: Doug (510) 451-5916
From: Susan (510) 337-9335

June 14, 2000

Mr. Douglas Herman
Port of Oakland
530 Water Street
Oakland, California 94607

DRAFT To: Mortensen

RE: Proposed Telecommunications Facility
720 Second Street and 229 Castro Street, Oakland, California 94607

Dear Mr. Herman:

The Alameda County Environmental Health Services (ACEHS) has reviewed the report entitled "Soil and Groundwater Investigations" dated May 3, 2000, prepared by Krazan & Associates, Inc. for the above subject site. The site will be developed into a multi-story telecommunications switching facility designed to serve fiber optic, telephone and internet service providers worldwide.

Results of the soil samples collected at the site identified the presence polynuclear aromatic hydrocarbons (PAHs), metals, petroleum hydrocarbons, and volatile organic compounds (VOCs). Groundwater sample collected from boring B-8 near the suspected underground storage tank (UST) found total petroleum hydrocarbon as gasoline and VOCs.

Based on the review of the report, the following issues must addressed prior to development of the subject site:

1. The presence or absence of the suspected UST must be identified. If the UST is present at the site, a closure plan must be submitted to this agency to facilitate the removal of the tank. Soil and/or groundwater must be collected to confirm any releases associated with the tank.
2. Elevated? Hazardous levels of lead were detected in soil at the site. Lead must be added as target analyte in groundwater.
3. A site conceptual model should be prepared which will identify sources of releases, chemicals of concern (COCs), routes of exposures, and sensitive receptors. This will include a risk assessment for the site. human & eco
4. A short term and long term risk management plan should be submitted. The short term (construction) risk management plan should include at a minimum, the following elements: acceptable health & safety plans for construction workers, soil management plan, groundwater management plan, dust control, stormwater prevention plan and measures to prevent creating

RMP implementing

any vertical conduits for contaminants to migrate from shallow to deeper groundwater. The long term (future) risk management plan should include health and safety plan for future construction workers at the site such as utility workers who maybe exposed to residual contaminants that will be left, and institutional controls such as deed restrictions that may be required at the site.

5. Any reuse of soil at the site should have prior approval from this agency.

6. Additional soil and groundwater samples may be required at the site.

Please submit copies of the boring logs and the Phase 1 ESA report dated 2/16/00 prepared for the site.

If you have any questions, please contact me at (510) 567-6780.

Sincerely,

Susan L. Hugo
Hazardous Materials Specialist

c: Betty Graham, San Francisco Bay RWQCB
Tom Lander, Mortenson Development Company, 2201 Geary Blvd., San Francisco, CA 94115
Stuart Block, Beveridge & Diamond
SH / files

MORTENSON
The Construction Organization®

2201 Geary Boulevard
San Francisco, California 94115

Telephone: (415) 931-0394
Facsimile: (415) 931-0480

May 5, 2000

BY HAND DELIVERY

Mr. Stephen Hill
Division Chief, Toxic Cleanup Division
Regional Water Quality Control Board,
San Francisco Bay Region
1515 Clay Street, Suite 1400
Oakland, California 94612

Re: Proposed Telecommunications Facility
720 Second Street and 229 Castro Street, Oakland, California

Dear Mr. Hill:

As you may be aware, M.A. Mortenson Development Company ("Mortenson") and the Port of Oakland ("Port") are currently redeveloping property located on Brush Street between Second and Third Streets (720 Second Street and 229 Castro Street) in Oakland, California (the "Site"). The Site will be converted from its historic warehousing and storage uses to a modern telecommunications switching facility designed to serve fiber optic, telephone, and internet service providers worldwide. Mortenson and the Port would appreciate the opportunity to meet with you and/or your staff to discuss the status of the Site and the proper management of on-site soil during development activities.

Investigations of soil at the Site have revealed concentrations of certain chemicals, including polynuclear aromatic hydrocarbons ("PAHs"), lead, petroleum hydrocarbons, and some BTEX compounds. Site-wide, the 80 percent UCL for all such chemical concentrations are below Preliminary Remediation Goals ("PRGs") for industrial soils. Additionally, with the exception of one sample location adjacent to a known underground storage tank, ground water samples from the Site are below laboratory reporting limits for PAHs, petroleum hydrocarbons, and volatile organic compounds.

Current development plans call for Mortenson to consolidate the top 18 inches of soil from approximately two-thirds of the Site onto the remaining one-third of the Site area to allow the placement of structural support piles. The piles will be installed to depths of between six and ten feet below ground surface. Mortenson and/or its contractors will then excavate around the piles, as necessary, to reinforce the piles with concrete caps and grade beams, and backfill the remaining excavation areas using the previously excavated soil. Mortenson would then grade and cap the entire Site by replacing the 18 inches of consolidated soil (at 90 percent compaction), and adding and additional 18 inches of materials which would include a poured concrete or asphalt cap, or at least two feet of clean fill (in landscaped areas). Thus, upon completion, the entire Site will be overlain by at least two feet of clean material. Any excavated remaining material will be classified and disposed of offsite.

The proposed development is governed by California Environmental Quality Act ("CEQA"). The Port is the acting lead agency under CEQA and has prepared and issued a Revised Mitigated Negative Declaration ("RMND") (Baseline, 14 March 2000). The RMND requires the preparation of a human health risk assessment for the Site, a risk management plan, a site-specific health and safety plan for construction and development activities, and removal of the underground storage tank identified in the Krazan Phase II report. Each of the items will be completed as required.

Due to time constraints relating to the development and Port approval processes, we would appreciate meeting with you and/or your staff at your earliest convenience. Mortenson and the Port can be available to meet with you any time during the week of May 8, 2000. To facilitate discussions concerning the Site, we enclose two copies of the Krazan Phase II report and the RMND. If you require any additional information, please contact either of the undersigned, or counsel for Mortenson, Stuart Block. After Monday, May 8, Stuart may be reached at (415) 296-9966. We will contact you shortly to discuss an appropriate meeting time and look forward to working with you to facilitate this important urban redevelopment project.

Thank you in advance for your cooperation.

Sincerely,

Tom Lander/sva

Tom Lander, Director of Asset Management
M.A. Mortenson Development Company

Jeff Jones, Environmental Compliance
Supervisor, Port of Oakland

Enclosures

cc: Marvin Doster, Mortenson (w/o enclosures)
Douglas Herman, Port of Oakland
Yane Nordhav, Baseline
Alex Gallego, Krazan (w/o enclosures)
Stuart I. Block, Beveridge & Diamond

H:\WP\PENDING\mortenson to hill.wpd

Certificate of Completion

Ian Beatty

Has Completed A 40 Hour Hazmat Site Worker Course On This Date Pursuant 29 CFR 1910.120 and Title 8 CCR Par. e & q

Instructor

6-11-00

Date

Krazan & Associates, Inc.

In Conjunction With J&N Environmental Safety

SEP 2000

ENVIRONMENTAL TECHNICAL SERVICES

Certifies That On July 21, 2000

BRAD CRUSE
SSN: 552-99-0879

Completed OSHA 29 CFR 1910

40 hr Hazmat Training

Helen Mawhinney
Helen Mawhinney

Sep 2000

ENVIRONMENTAL TECHNICAL SERVICES

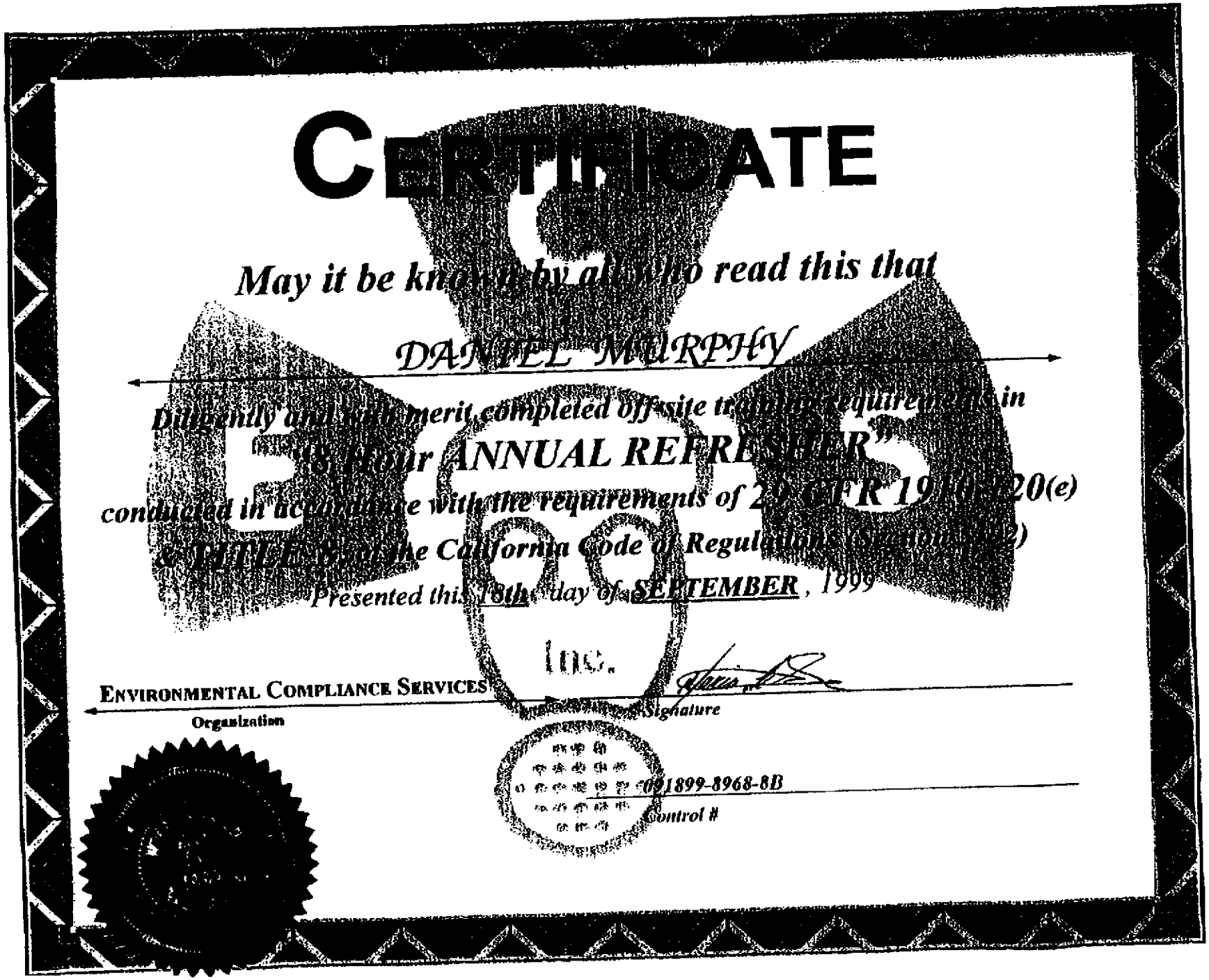
Certifies That On July 21, 2000

MIGUEL GALVEZ-PEREZ
SSN: 608-12-2381

Completed OSHA 29 CFR 1910

40 hr Hazmat Training

Helen Mawhinney
Helen Mawhinney



CERTIFICATE

May it be known by all who read this that

DANIEL MURPHY

Diligently and with merit completed off-site training requirements in

the 8 Hour ANNUAL REFRESHER

conducted in accordance with the requirements of 29 CFR 1910.120(e)

& TITLE 8 of the California Code of Regulations (Section 5192)

Presented this 18th day of SEPTEMBER, 1999

ENVIRONMENTAL COMPLIANCE SERVICES, Inc.

Organization

Signature

091899-8968-8B

Control #

Department of Toxic Substances Control

Edwin F. Lowry, Director
400 P Street, 4th Floor, P.O. Box 806
Sacramento, California 95812-0806

Gray Davis
Governor

Winston H. Hickox
Agency Secretary
California Environmental
Protection Agency

HAZARDOUS WASTE TRANSPORTER REGISTRATION

NAME AND ADDRESS OF REGISTERED TRANSPORTER:

Fuller Excavating & Demolition, Inc.
3283 Luyung Drive
Rancho Cordova, California 95742

TRANSPORTER REGISTRATION NO: 2264

EXPIRATION DATE: February 28, 2001

THIS IS TO CERTIFY THAT THE FIRM NAMED ABOVE IS DULY REGISTERED TO TRANSPORT HAZARDOUS WASTE IN THE STATE OF CALIFORNIA IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 6.5, DIVISION 20 OF THE HEALTH AND SAFETY CODE AND TITLE 22 OF THE CALIFORNIA CODE OF REGULATIONS, DIVISION 4.5.

THIS REGISTRATION CERTIFICATE MUST BE CARRIED WITH EACH SHIPMENT OF HAZARDOUS WASTE.

FOR REGISTRATION INFORMATION, PLEASE CONTACT MS. TARI PATTERSON AT (916) 323-3219.

Susan Jean Laney
(AUTHORIZED SIGNATURE)

DEC 2 4 1999
(DATE)

State of California—Environmental Protection Agency
Form Approved OMB No. 2050-0039 (Expires 9-30-99)
Please print or type. *Form designed for use on elite (12-pitch) typewriter.*

See Instructions on back of page 6.

Department of Toxic Substances Contr
Sacramento, California

20092614

IN CASE OF EMERGENCY OR SPILL, CALL THE NATIONAL RESPONSE CENTER 1-800-424-8802: WITHIN CALIFORNIA, CALL 1-800-852-7550

UNIFORM HAZARDOUS WASTE MANIFEST

1. Generator's US EPA ID No.: CA L00022719655 — Manifest Document No.: 92614
2. Page 1 of 1

Information in the shaded areas is not required by Federal law.

A. State Manifest Document Number: 20092614

3. Generator's Name and Mailing Address: M A Mortenson, 7202 ... St Oakland C. 94607

B. State Generator's ID:

4. Generator's Phone (510) 625 022...

5. Transporter 1 Company Name: ASBURY ENVIRONMENTAL SERVICES
6. US EPA ID Number: CAD028409036

C. State Transporter's ID [Reserved.]

D. Transporter's Phone: (310) 886-3400

7. Transporter 2 Company Name:
8. US EPA ID Number:

E. State Transporter's ID [Reserved.]

F. Transporter's Phone:

9. Designated Facility Name and Site Address: RAMOS ENVIRONMENTAL, 1515 SOUTH RIVER ROAD, WEST SACRAMENTO, CA 95691
10. US EPA ID Number: CAD044003556

G. State Facility's ID: CAD044003556

H. Facility's Phone: (916) 371-5747

GENERATOR

11. US DOT Description (including Proper Shipping Name, Hazard Class, and ID Number)	12. Containers No.	12. Containers Type	13. Total Quantity	14. Unit Wt/Vol	I. Waste Number
a. NON-RCRA HAZARDOUS WASTE, LIQUID (WATER, OIL) "No Placards Required"	001	TT	00110	G	State 223; EPA/Other NONE
b.					State; EPA/Other
c.					State; EPA/Other
d.					State; EPA/Other

J. Additional Descriptions for Materials Listed Above
WATER 95-99 %
OIL 1-5 %

K. Handling Codes for Wastes Listed Above
a. b.
c. d.

15. Special Handling Instructions and Additional Information
GLOVES & GOGGLES — EMERGENCY CONTACT: MEL HARPER (310) 466-3012
WAER# 171
000032

16. **GENERATOR'S CERTIFICATION:** I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national government regulations.

If I am a large quantity generator, I certify that I have a program in place to reduce the volume and toxicity of waste generated to the degree I have determined to be economically practicable and that I have selected the practicable method of treatment, storage, or disposal currently available to me which minimizes the present and future threat to human health and the environment; OR, if I am a small quantity generator, I have made a good faith effort to minimize my waste generation and select the best waste management method that is available to me and that I can afford.

Printed/Typed Name	Signature	Month	Day	Year
[illegible]	[signature]	[illegible]	[illegible]	[illegible]

TRANSPORTER

17. Transporter 1 Acknowledgement of Receipt of Materials

Printed/Typed Name	Signature	Month	Day	Year
[illegible]	[signature]	[illegible]	[illegible]	[illegible]

18. Transporter 2 Acknowledgement of Receipt of Materials

Printed/Typed Name	Signature	Month	Day	Year

FACILITY

19. Discrepancy Indication Space

20. Facility Owner or Operator Certification of receipt of hazardous materials covered by this manifest except as noted in Item 19.

Printed/Typed Name	Signature	Month	Day	Year

DO NOT WRITE BELOW THIS LINE.

DTSC 8022A (1/99)
EPA 8700—22

Yellow: GENERATOR RETAINS

Hugo, Susan, Env. Health

From: Hugo, Susan, Env. Health
Sent: Thursday, June 07, 2001 5:49 PM
To: 'Hernan Gomez'
Cc: Levi, Ariu, Env. Health
Subject: Deed Restriction for Oakland Telecom Access Center
Importance: High

Hi Hernan;

Our office has reviewed the deed restrictions for Oakland Telecom Access Center located at 720 Second St. and 229 Castro Street in Oakland. The deed restriction is required due to lead found in soil at the site. The lead contaminated soil is now buried underneath the building.

Do you want to co -sign the deed restriction or maybe a letter saying that the "City of Oakland concurs". Once recorded, a copy of the deed restriction should be submitted to City of Oakland Building and Planning Department.

Mortenson Development is anxious to get the deed restriction recorded. County required that prior to occupancy of the building, the deed restriction should be recorded.

Please contact me or e-mail your response.

Thanks

Susan L. Hugo
Environmental Health Department
(510) 567-6780

6/20/01 Message to Tenant Block
Deed restriction - to County Counsel
- dropped "burdened property" - big deal?

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

June 6, 2000

Mr. Douglas Herman
Port of Oakland
530 Water Street
Oakland, California 94607

RE: Proposed Telecommunications Facility
720 Second Street and 229 Castro Street, Oakland, California 94607

Dear Mr. Herman:

The Alameda County Environmental Health Services (ACEHS) has received the report entitled "Soil and Groundwater Investigations" dated May 3, 2000, prepared by Krazan & Associates, Inc. for the above subject site. Mitigated Negative Declaration reports (Initial Study, Revised Initial Study and Final Initial Study) were also submitted for the proposed development of the site. In addition, our office received a letter from City of Oakland requesting ACDEH to oversee the tank removal, remediation activities, management of soils and transfer of the tank related case to the Local Oversight Program.

As discussed during our meeting on May 10, 2000, you need to submit a deposit for regulatory agency oversight. The deposit /refund mechanism is authorized in Section 6.92.040L of the Alameda County Ordinance Code. Please submit a deposit for the amount of $4,000.00 payable to Alameda County Environmental Health Services. Work on this project will be debited at the ordinance-specified rate, currently at $100.00 per hour.

Please be sure to write the following on the check to identify your account:
- type of project and
- site address (see RE: line above).

If you have any questions, please contact me at (510) 567-6780.

Sincerely,

Susan L. Hugo
Hazardous Materials Specialist

c: Thomas Peacock, Program Manager
SH / files

CITY OF OAKLAND

FIRE SERVICES AGENCY • 1605 MARTIN LUTHER KING JR. WAY • OAKLAND, CALIFORNIA 94612

Office of Emergency Services

(510) 238-3938
FAX (510) 238-7761
TDD (510) 839-6451

May 31, 2000

Mr. Tom Peacock
Alameda Health Care Services Agency
Department of Environmental Health
1131 Harbor Bay Parkway, 2nd Floor
Alameda, CA 94502

Subject: **Oversight of Remediation at Proposed Commercial Development, 720 Second Street & 229 Castro Street (Site), Oakland, CA**

Dear Mr. Peacock:

Over the past several weeks the Port of Oakland in conjunction with Mortenson Development Company have performed a Phase I/II site investigation at the subject property indicated above. The investigation of soils have revealed concentrations of certain chemicals, including polynuclear aromatic hydrocarbons ("PAHs"), lead, petroleum hydrocarbons and some BTEX compounds. Additionally, one sample location adjacent to the known underground storage tank identified TPHg, and BTEX above laboratory reporting limits.

As such, the City of Oakland requests that Alameda County Department of Environmental Health (County) add this site to the Local Oversight Program, and oversee tank removal and remediation activities and the management of soils on site.

It is the understanding of the City that the Port of Oakland will reimburse the County for all costs associated with the oversight of this property.

If you have any questions, please contact me at (510) 238-7759.

Sincerely,

Leroy Griffin
Inspections Program Manager

Cc: Douglas Herman, Port of Oakland

5-15-00

Ms. Hugo:

Please find enclosed all of the IS/Neg Dec reports prepared for the proposed telecommunications building.

If you have any questions, please contact me at 627-1184.

Thanks,

Douglas

May 10, 2000

Mr. Tom Peacock
Alameda Health Care Services Agency
Department of Environmental Health
1131 Harbor Bay Parkway, 2nd Floor
Alameda, CA 94502

Subject: **Oversight of Remediation at Proposed Commercial Development Site, 720 Second Street & 229 Castro Street, Oakland, CA**

Dear Mr. Peacock:

Over the past several weeks the Port of Oakland in conjunction with Mortenson Development Company have performed a Phase I/II site investigation at the subject property indicated above. The investigation of soils have revealed concentrations of certain chemicals, including polynuclear aromatic hydrocarbons ("PAHs"), lead, petroleum hydrocarbons and some BTEX compounds. Additionally, one sample location adjacent to the known underground storage tank, were above laboratory reporting limits for TPHg, and BTEX. As such, the City of Oakland would like to requests that Alameda County Department of Environmental Health (County) add this site to the Local Oversight Program, and oversee tank removal and remediation activities and the management of soils on site.

It is the understanding of the City that the Port of Oakland will reimburse the County for all costs associated with the oversight of this property.

If you have any questions, please contact me at (510) 238-7759.

Sincerely,

Leroy Griffin
Hazardous Materials Supervisor

Cc: Douglas Herman, Port of Oakland

need to cc Betty Graham