

Date: 10/21/96

Fax # (916) 337-9335

To: Susan L. Hugo  
Sr Hazardous Materials Specialist  
Alameda Co Health Agency

From: Green Telegraph

Number of pages to follow this transmittal page: 2

If you do not receive all pages legibly please call:  
(310) 640-9100 and contact 2-6111

Message: Attached is the requested resume letter  
for the Chromex/Charles Lawe facility in  
Emeryville. As call me or David Allen

with any questions or comments  
Original will be sent via  Mail  Messenger  Fed Ex  Will not be sent

CORPORATE OFFICES  
2300 EAST IMPERIAL HIGHWAY, 7TH FLOOR  
EL SEGUNDO, CA 90245

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

RAFAT A. SHAHID, DIRECTOR

**DEPARTMENT OF ENVIRONMENTAL HEALTH**  
1131 Harbor Bay Parkway  
Alameda, CA 94502-8577  
(510) 867-8777

December 13, 1995

William Lewerenz  
Emeryville Properties,  
699 Second Street  
San Francisco, CA 94107**Subject: Closure Letter for Investigation of the Chromium  
Vault, Former Chromex/Charles Lowe Facility, 1400 Park  
Avenue, Emeryville Ca 94608**

Dear Mr. Lewerenz:

This office has received the "Supplemental Site Assessment Report" dated May 17, 1995, and submitted by Alton Geoscience, the consultant of record for remediation actions regarding the former chromium vault. Thank you for submission of the document.

Review of the report indicates that low levels of chromium in the "dissolved phase" remain at the site. However, the low levels of chromium remaining in the groundwater do not appear to pose a threat to the public health and the environment. Therefore, with regards to the investigation of the former chromium vault located at the site, this office, with the concurrence of the Regional Water Quality Control Board, finds that "No Further Work" will be required at this time.

In light of these levels, and the potential for on-site migration from other sources, monitoring wells should not be destroyed or otherwise removed from the site. By allowing the wells to remain, you will be able to insure that any on-site migration from an off-site source that may be encountered in the future, is not the responsibility of activities that have taken place on site.

This office commends the work undertaken regarding the investigation. If you have any questions regarding this document, please contact this office. The number is (510) 567-6737.

page 2 of 2

Prior to the closure of the site regarding the former chromium vault, it will be necessary for you to remit the sum of \$3000.00 dollars. This sum represents the amount owed in the deposit/refund account set up for oversight activities. Upon receipt of this amount, the site will be removed from the "active list" of oversight cases.

Sincerely,



Brian P. Oliva, REHS, REA  
Senior Hazardous Materials Specialist

cc: Jun Makashima, Acting Director Alameda County Department of  
Environmental Health,  
Gordon Colman, Acting Chief, Alameda County Department of  
Environmental Health,  
Sum Arigala, Regional Water Quality Control Board  
Ariu Levi, Manager, North Area, Alameda County  
Mike Benjamin, Thomas Short Co., 1685 34th St.,  
Oakland, CA 94608

5\*

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, Director

DEPARTMENT OF ENVIRONMENTAL HEALTH  
Environmental Protection Division  
1131 Harbor Bay Parkway, #250  
Alameda, CA 94502-6577  
(510) 567-6700

August 24, 1995

Thomas La Flamme  
c/o Thomas Short Co.,  
1685 34th Street,  
Oakland, CA 94608

Emeryville Properties  
c/o William Lewerenz,  
699 2nd Street,  
San Francisco, CA 94107

**Subject: Subsurface Investigation of the Former Chromex/Charles  
Lowe/Thomas Short Co., 1400 Park Street, Emeryville, CA  
94608**

Dear Mr. Short and Mr. Lewerenz:

This office has received the "Final Report for Soil Overexcavation and Subsurface Assessment", dated August 3, 1995, and submitted by Aqua Science Engineers, the current consultant of record for the Thomas Short Co. Thank you for the submission of this document in a timely manner.

Review of the report indicates the existence of petroleum hydrocarbons in the area formerly known as the "vertical hone" (VH). Soil samples in excess of 1600 part per million (ppm) were detected in the excavated walls surrounding the VH. Groundwater samples from the excavated pit also contained petroleum hydrocarbons.

In light of these findings, indicating the potential discharge from the remaining contaminated soil into the groundwater, a monitoring well must be installed. This office concurs with the report from your consultant that one (1) well is sufficient at **this time**. The existing wells on site are in close enough in proximity to be utilized for the purpose of obtaining the hydraulic gradient (groundwater flow direction).

Following installation of the monitoring well, and four continuous quarters of sampling during a one year cycle, the site will be re-evaluated.

page 2 of 2


Please submit a workplan for the installation of at least one (1) monitoring well to this office within thirty (30) days. Following the installation and development of the well, samples should be taken and analyzed for Total Petroleum Hydrocarbons (TPH-d) and for Oil and Grease (O & G). These samples should be submitted to this office following the analysis by a State Certified Laboratory.

Regarding the investigation of the former chromium vault at the rear of the facility, this office will confer with the Sum Arigala, of the Regional Water Quality Control Board (RWQCB) as to the possibility of issuing a letter for the purpose of closing the investigation related to the former vault.

In order to continue the oversight on this facility, you are requested to submit the sum of \$3000.00 payable to the County of Alameda. This deposit is authorized by Section 3-141.6 of the Ordinance Code of Alameda, and is used to cover expenses incurred by County personnel in their oversight duties.

If you have any questions, please contact this office at (510) 567-6737.

Sincerely,



Brian P. Oliva, REHS, REA  
Senior Hazardous Materials Specialist

cc: ✓ Ariu Levi, Supervising Hazardous Materials Specialist  
Susan Hugo, Senior Haz Mat Specialist, LOP  
Sum Arigala, Regional Water Quality Control Board  
Jeff Judd Esq., O'Melveny & Myers  
Gilbert Jensen, Al Co. Deputy District Attorney's Office  
Dave Allen, Aqua Science Engineering Inc.  
Gwen Tullegan, 2300 East Imperial Highway, 7th Floor,  
El Segundo, CA 90245

Bo.

white -env.health  
yellow -facility  
pink -files

ALAMEDA COUNTY, DEPARTMENT OF  
ENVIRONMENTAL HEALTH  
Hazardous Materials Inspection Form

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

II, III

Site ID # 319 Site Name Chromox Today's Date 7/21/95  
Site Address 1400 PARK ST  
City Emeryville Zip 94608 Phone \_\_\_\_\_

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

**Inspection Categories:**

- I. Haz. Mat/Waste GENERATOR/TRANSPORTER  
 II. Hazardous Materials Business Plan, Acutely Hazardous Materials  
 III. Under ground Storage Tanks

Remediation

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

**Comments:**

9<sup>30</sup> On site for inspection/investigation related to the "closure" of the facility related to hazardous waste on site. A cleanup crew (see business card) was removing solid waste (wood etc). It should be noted that there still remains hazardous discharges into the surface waste oil that cleanup crew was advised that the material was hazardous waste and therefore not to be removed unless by a hazardous waste company.

5<sup>00</sup> <sup>pm</sup> Returned to site for investigation of work in progress. It should be noted that on there remains on site a vat formerly containing hazardous waste (ACD). I will consult with owners as to its ultimate fate for removal.

oil vat must be removed prior to sign off of the facility as a hazardous waste facility.

Contact owner not present  
Title \_\_\_\_\_  
Signature \_\_\_\_\_

Inspector Bruce P. Orr  
Signature \_\_\_\_\_

II, III

white - env. health  
 yellow - facility  
 pink - files

ALAMEDA COUNTY, DEPARTMENT OF  
**ENVIRONMENTAL HEALTH**  
 Hazardous Materials Inspection Form

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

II, III

Site ID # 519 Site Name Chemex Today's Date 6/21/95  
 Site Address 1400 Park  
 City Emeryville Zip 94608 Phone \_\_\_\_\_

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

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

2 PM  
**Comments:** Further investigation/ remediation of site OVA  
 used for screening purposes. 465 ppm directly from  
 soil -  
 4 samples to be taken at 2' ground level, 1 grab  
 water sample to be taken for  
 analyzed as per work plan  
 - Soil Volume ~ 100 y<sup>3</sup> -  
 - more more photographs taken  
 - need to be backfilled with clean fill  
 placed over tarpaulin or other non-  
 permeable membrane  
 - samples taken @ ~ 9 feet BGL -  
 4 = subsoil  
 2 = floor of excavation  
 1 = water sample  
 " Waste oil Recovery System Removing the water from  
 the pit."

Contact X.D. Allen  
 Title \_\_\_\_\_  
 Signature \_\_\_\_\_

Inspector Bruce P. Allen  
 Signature \_\_\_\_\_

II, III

white -env.health  
yellow -facility  
pink -files

ALAMEDA COUNTY, DEPARTMENT OF  
ENVIRONMENTAL HEALTH

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

Hazardous Materials Inspection Form

II, III

Site ID # 319 Site Name Chromex Today's Date 6/26/95  
Site Address 1400 Park  
City Emeryville Zip 94608 Phone \_\_\_\_\_

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

Inspection Categories:

- \_\_\_\_ I. Haz. Mat/Waste GENERATOR/TRANSPORTER   
\_\_\_\_ II. Hazardous Materials Business Plan, Acutely Hazardous Materials  
\_\_\_\_ III. Under ground Storage Tanks

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

7:30 am  
Comments:

on site - for investigation related to removal  
of a "Vertical Hole" at the facility -  
on site aqua science engineers (Dave Allen)  
The subject area has been excavated as per the submitted description of  
June 1, 1995.

Note: Several photographs taken of area of concern  
soil in pit appears to be heavily contaminated  
and observed saturated with waste oil/unknown  
chemicals - Pumper/Vacuum truck on site -  
on site Guantelleges firm/for Attorney for Emeryville  
Property owners

Heavy Contamination observed - strong odor of Hydrocarbons  
detected - Stained Soil (green) observed also  
black soil - water encountered at ~ 8-9 feet BGS  
The spots (soil) to be removed from area all placed  
in 115-gallon at rear of facility - to be Chromexed  
prior to disposal.

Contact D. Allen  
Title \_\_\_\_\_  
Signature \_\_\_\_\_

Inspector Ben A  
Signature \_\_\_\_\_

II, III



Page 3 of 3

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

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yellow -facility  
pink -files

# ALAMEDA COUNTY, DEPARTMENT OF ENVIRONMENTAL HEALTH

## Hazardous Materials Inspection Form

II, III

Site ID # 319 Site Name Chemex Today's Date     /    /    

Site Address 1400 Park

City Emeryville Zip 94 Phone     

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

**Inspection Categories:**

- \_\_\_\_ I. Haz. Mat/Waste GENERATOR/TRANSPORTER
- \_\_\_\_ II. Hazardous Materials Business Plan, Acutely Hazardous Materials
- \_\_\_\_ III. Under ground Storage Tanks

Remediation

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

**Comments:**

Required Actions -

- 1) Following completion of sample & analysis, submit analytical results to the office within 21 days.
- 2) Complete + Submit "Report of Findings" to the office within 30 days.
- 3) Analysis to be done as per work plan.
- 4) Characterize stockpiled soils on site prior to disposal.
- 5) Soil removal managed off for soil removal from site and water removed from site.

Contact [Signature]  
 Title \_\_\_\_\_  
 Signature \_\_\_\_\_

Inspector \_\_\_\_\_  
 Signature \_\_\_\_\_

II, III

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, Assistant Agency Director

DEPARTMENT OF ENVIRONMENTAL HEALTH  
Hazardous Materials Division  
80 Swan Way, Rm. 200  
Oakland, CA 94621  
(510) 271-4320

June 13, 1995

Emeryville Properties  
3963 Woodside Ct.,  
Lafayette, CA 94549

Thomas Short Co.,  
3430 Wood St.,  
Oakland, CA 94608

**Subject: Workplan for Soil Overexcavation and Subsurface  
Assessment at the Former Charles Lowe Facility, 1400  
Park Street, Emeryville, CA 94608**

This office has received a workplan for the above facility dated June 1, 1995, submitted by Aqua Science Engineering Inc., the consultant of record for the Thomas Short Company. Thank you for the submission of this document. Upon review, there are several comments that will be enumerated below:

- 1) The work should be co-ordinated with the properties owners (Emeryville Properties) and the former tenants (Thomas Short) regarding access to the site.
- 2) This is a **preliminary** investigation into what appears to be, a unknown area of potential subsurface contamination. Further investigation may be required at a later date.
- 3) Any samples analyzed by a Certified Laboratory should be screened for VOC (solvents). This must include grab water samples, soils samples, etc.
- 4) It may be necessary to install at least one (1) monitoring well in the known down gradient direction from vertical hone area. If so, contact the City of Emeryville for permission.
- 5) This office concurs with the other parts of the workplan as submitted. The site safety plan must be followed as submitted in the workplan.

page 2 of 2

6) Notify this office at least forty-eight (48) hours notice **prior** to scheduling any activities at the site.

If you have any question, please do not hesitate to call this office. I can be reached at (510) 567-6737.

Sincerely,



Brian P. Oliva, REHS, REA  
Hazardous Materials Specialist

cc: Susan Hugo, Senior Hazardous Materials Specialist  
David Allen, Aqua Science Engineering  
Jeff Judd Esq., c/o O'Melveny & Myers  
Sum Arigala, RWQCB  
Gil Jensen, Alameda County Deputy District Attorney  
Ariu Levi, Manager, North Area  
Alisa La May, Alton Geoscience

CS

HAZARDOUS WASTE GENERATOR INSPECTION REPORT

STID # 319 FACILITY NAME: Thomas Short / Charles Lane PG. OF

SUPPLEMENTAL FORM  
On site for investigation 1400 Park  
relating to closure of business.  
There is a sump area at the West End of the building. The area was formerly used for a "Wettable Hone" the Area contained a reservoir (oil-light weight) - there is a peal concrete at the bottom of the sump. there is ground water in the bottom of the sump - the sump is not completely concrete lined. It will be necessary to investigate the area to identify possible groundwater impact from the oil.

Required actions

- 1) Submit a plan for investigation for the sump area -
    - a) The plan should include but should not be limited to: groundwater and soil sampling, Removal of contaminated soil, It should contain recommendations for addressing contamination (if found).
- within 30 days

PRINT NAME: Mike Benjamin INSPECTED BY: Ben Oh  
SIGNATURE: X Michael Benjamin DATE: 4/18/95

HAZARDOUS WASTE GENERATOR INSPECTION REPORT

Page

STID #: 319	FACILITY NAME: 7 Home St / Charles Lane	PG. 2 OF 2
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SUPPLEMENTAL FORM

Continued

On site for inspection of site prior to closure of facility. Page 1 completed regarding dump (5 p end)  
There are several below grade concrete areas - several photographs taken of area that potentially may have caused discharges to surface. - should be investigated

Other Required Actions To be Completed prior to leaving

- 1 Remove or dispose, manifest off the building hazardous waste containers still on site. Please
- 2 Provide Manifests for all materials removed from this site and send these manifest to this office. (Your office)
- 3 Eliminate all discharges of hazardous wastes onto the surface, inside or outside.
- 4 Remove hazardous materials from site like oil etc. (may be re-used.)
- 5 manifest solid absorbent used as hazardous waste
- 6 Call this office for final inspection prior to vacating premises.

PRINT NAME

Michael P. Benjamin

INSPECTED BY:

Ben Dole

SIGNATURE

Michael P. Benjamin

DATE:

4/18/95

white -env.health  
yellow -facility  
pink -files

# ALAMEDA COUNTY, DEPARTMENT OF ENVIRONMENTAL HEALTH

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

## Hazardous Materials Inspection Form

II, III

Site ID # 319 Site Name Chromex / ThonShat Today's Date 3/19/95

Site Address 100 Park St

City Emeryville Zip 94608 Phone \_\_\_\_\_

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

### Inspection Categories:

- \_\_\_\_ I. Haz. Mat/Waste GENERATOR/TRANSPORTER
- \_\_\_\_ II. Hazardous Materials Business Plan, Acutely Hazardous Materials
- \_\_\_\_ III. Under ground Storage Tanks

} Remediation  
former Chromic Acid Vault

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

### Comments:

On site for observations related to soil sampling. On site also for geologist for Atton Geopance. Samples taken at 100' perimeter of site at 5' and depths hand digging method of sampling - also samples approximate perimeter location of former Chromium Vault, previously removed from site. Several photographs taken of site. Samples to be analyzed for ① Total Chromium ② Chlorinated solvents ③ Hexavalent Chromium.

Note difficulty in completing N/E Corner Sample area.

down gradient samples & taken.

Actions (for Consultant)

① Submit complete record of findings including laboratory results → (results)

② Samples should be submitted to this office within 30 days

Contact x Ailsa LaMay  
Title x Geologist  
Signature [Signature]

Inspector Bruce P. Olson  
Signature \_\_\_\_\_

II, III

## MEMORANDUM

DATE: January 9, 1995

TO: Gil Jensen

FROM: Brian P. Oliva

SUBJ: Chromex/Charles Lowe/Thomas Short Co., 1400 Park Avenue,  
Emeryville, CA 94608**CONFIDENTIAL**

Gil:

I received this response from Thomas Laflamme, owner of the Thomas Short Co., regarding recent correspondence from this office. I am not sure what he is up to, but I imagine that he is in his own way trying to limit liability. Does this necessitate a response from our office? I would think this is more of a "legal standing" position by his company. Let me know what you think, or if it requires any action.

Thanks,

Brian

x36737

*Brian*

Post-It™ brand fax transmittal memo 7671		# of pages ▶	
To	Gil Jensen	From	BRIAN P OLIVA
Co.		Co.	
Dept.	AEC: DA	Phone #	567-6737
Fax #	569 2873	Fax #	

0505

TRANSMIT REPORT

1995.01-09 11:59  
 510 337 9335  
 ALAMEDA CO EHS HAZ-OPS

COM No.	REMOTE STATION	START TIME	DURATION	PAGES	RESULT	USER ID	REMARKS
228	5692573	01-09 11:58	00' 55	00/02	D282		

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ALAMEDA COUNTY HEALTH CARE SERVICES - ENVIRONMENTAL PROTECTION

MEMORANDUM

DATE: January 9, 1995

TO: Gil Jensen

FROM: Brian P. Oliva

SUBJ: Chromex/Charles Lowe/Thomas Short Co., 1400 Park Avenue,  
 Emeryville, CA 94608

**CONFIDENTIAL**

Gil:

I received this response from Thomas Laflamme, owner of the Thomas Short Co., regarding recent correspondence from this office. I am not sure what he is up to, but I imagine that he is in his own way trying to limit liability. Does this necessitate a response from our office? I would think this is more of a "legal standing" position by his company. Let me know what you think, or if it requires any action.

Thanks,

Brian *BPO*  
 X36737

Post-It™ brand fax transmittal memo 7671		# of pages ▶
To	GIL JENSEN	From
Co.		BRIAN P. OLIVA
Dept.	A C C O D A	Phone #
Fax #	5692673	567-6737





THOMAS A. SHORT CO.

January 6, 1995

Mr. Brian P. Oliva  
Department of Environmental Health  
1131 Harbor Bay Parkway  
Alameda, CA 94502-6577

Dear Mr. Oliva,


In reference to your letter dated December 2, 1994, please be advised that Thomas A. Short Company is not A Successor Corporation to Charles Lowe Company.

If you would like to reach myself regarding Thomas A. Short Company, I am located at 3430 Wood Street, Oakland, CA 94608. Thomas Short's P.O. Box is 8127, Emeryville, CA 94662. Or if you would rather, my phone number is (510) 652-5900 or (510) 655-9375.

The person to speak with regarding Charles Lowe Company is Mr. Steve Slade. He is located at 1400 Park Avenue, Emeryville, CA 94608, P.O. Box 8445, Emeryville, CA 94662. Charles Lowe Company's phone number is (510) 652-5900.

As I stated, if you have any questions regarding Thomas A. Short Company, please feel free to contact me. Thank you.

Regards,

  
Thomas LaFlamme  
President, Thomas A. Short Company

TL/hh

cc: Mr. Michael Parker,  
Mr. Anthony Geisler,  
Mr. William Lewerenz,  
DBA Emeryville Properties  
699 2nd Street  
San Francisco, CA 94107

MEMORANDUM

DATE: December 23, 1994

TO: files

FROM: brian

SUBJ: chromex/charles loew

---

site visit done on 12/22/94 for verification of site activities related to the investigation of suspected releases of heavy metals onto the surface. Investigation revealed the installation of a monitoring well at the site in the presumed down-gradient position. Soil borings were also observed at the site.

The investigation revealed soil spoils on site. These spoils were stored in a manner that may cause discharge/migration off-site during a rain event. I will contact the consultant and relay to them my concerns.

It should be noted that several photographs were taken of the area to confirm said activities.

**Note:** The successor corporation has refused to pick up documents from this office. I will deliver these documents in person on this date, and consult Gil Jensen regarding any other contemplated actions.

Brian P. Oliva

**SENDER:**

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- 1.  Addressee's Address
- 2.  Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Thomas La Flamme  
 c/o Thomas Short Co.  
 A Successor Corp. to:  
 Charles Lowe Co.  
 1400 Park Avenue  
 Emeryville, CA 94608

4a. Article Number

Z 773 036 466

4b. Service Type

- Registered  Insured
- Certified  COD
- Express Mail  Return Receipt for Merchandise

7. Date of Delivery

Signature (Addressee)

Signature (Agent)

8. Addressee's Address (Only if requested and fee is paid)

94 DECEMBER 1991 3:45  
 HAZARD





Environmental  
Science &  
Engineering, Inc.

ALCO  
RECORDS  
SECTION 20 11 13

December 19, 1994

Mr. Brian Oliva, Hazardous Materials Specialist  
Alameda County Health Care Services Agency  
Department of Environmental Health  
1131 Harbor Bay Parkway  
Alameda, CA 94502

**SUBJECT: THE PROPERTY KNOWN AS CHROMEX, INC., 1400 PARK AVENUE,  
EMERYVILLE, ALAMEDA COUNTY, CALIFORNIA  
SAN FRANCISCO BAY REGIONAL WATER QUALITY CONTROL  
BOARD FILE NO. 2223.09 (SA)  
ESE PROJECT NO. 6-94-5246**

Dear Mr. Oliva:

Pursuant to a request by Mr. Jeffrey M. Judd of O'Melveny & Myers, Environmental Science & Engineering, Inc. (ESE) presents for your review analytical results for samples collected from soils stockpiled at the subject site in association with facility decommissioning in 1992. Additionally, ESE presents manifest documentation for the removal and disposal of the soil at Chemical Waste Management, Inc.'s facility in Kettleman City, California. ESE directed soil disposal on November 11, 1994.

As you may be aware, management of this project has been transferred to another consulting firm. For details of this project change, please contact Mr. Judd at (415) 984-8798. If you have questions regarding the enclosed materials, please do not hesitate to contact me at (510) 685-4053.

Sincerely,

ENVIRONMENTAL SCIENCE & ENGINEERING, INC.

Michael E. Quillin, RG 5315  
Senior Hydrogeologist

Attachments: Soil Analytical Results  
Uniform Hazardous Waste Manifests (2)

cc: Mr. Jeffrey M. Judd, O'Melveny & Myers  
F:\6945246\1294alco.ltr

O'MELVENY & MYERS

ALCO  
HAZMAT

94 DEC 19 1994

400 SOUTH HOPE STREET  
LOS ANGELES, CALIFORNIA 90071-2899  
TELEPHONE (213) 669-6000  
FACSIMILE (213) 669-6407

1999 AVENUE OF THE STARS  
LOS ANGELES, CALIFORNIA 90067-6035  
TELEPHONE (310) 553-6700  
FACSIMILE (310) 246-6779

610 NEWPORT CENTER DRIVE  
NEWPORT BEACH, CALIFORNIA 92660-6429  
TELEPHONE (714) 760-9600  
FACSIMILE (714) 669-6994

ONE GATEWAY CENTER  
NEWARK, NEW JERSEY 07102  
TELEPHONE (201) 639-8600  
FACSIMILE (201) 639-8630 • 639-8631

EMBARCADERO CENTER WEST  
275 BATTERY STREET  
SAN FRANCISCO, CALIFORNIA 94111-3305  
TELEPHONE (415) 984-8700  
FACSIMILE (415) 984-8701

CITICORP CENTER  
153 EAST 53RD STREET  
NEW YORK, NEW YORK 10022-4611  
TELEPHONE (212) 326-2000  
FACSIMILE (212) 326-2061

555 13TH STREET, N.W.  
WASHINGTON, D. C. 20004-1109  
TELEPHONE (202) 383-5300  
FACSIMILE (202) 383-5414

10 FINSBURY SQUARE  
LONDON EC2A 1LA  
TELEPHONE (0171) 256-8451  
FACSIMILE (0171) 638-8205

SANBANCHO KB-6 BUILDING  
6 SANBANCHO, CHIYODA-KU  
TOKYO 102  
TELEPHONE (03) 3239-2800  
FACSIMILE (03) 3239-2432

1104 LIPPO TOWER  
LIPPO CENTRE  
89 QUEENSWAY, CENTRAL  
HONG KONG  
TELEPHONE (852) 523-8266  
FACSIMILE (852) 522-1760

December 15, 1994

WRITER'S DIRECT DIAL NUMBER

(415) 984-8798

OUR FILE NUMBER

650,627-011  
191412.VI

**BY TELECOPY AND U.S. MAIL**

Mr. Brian Oliva  
ALAMEDA COUNTY DEPARTMENT OF ENVIRONMENTAL HEALTH  
Hazardous Materials Division  
1131 Harbor Bay Parkway, Suite 250  
Alameda, California 94502

Re: Former Chromex Facility; 1400 Park Avenue,  
Emeryville; RWOCB File No. 2223.09 (SA)

Dear Mr. Oliva:

I write on behalf of the owners of the property located at 1400 Park Avenue, Emeryville, California (the "Property"), Messrs. Michael Parker, William Lewerenz and Anthony Geisler dba Emeryville Properties (the "Owners"). This letter addresses certain issues raised by your December 2, 1994 letter approving (subject to certain conditions) the September 29, 1994 Phase II Workplan (the "Workplan") prepared by Environmental Science & Engineering, Inc. ("ESE") and submitted to you on the Owners' behalf.

1. Communications With Owners. O'Melveny & Myers is representing the Owners with respect to environmental investigation and remediation obligations pertaining to the Property. In previous correspondence, I have requested that you direct to the undersigned all communications to the Owners respecting the Property. I renew that request, and respectfully urge you to copy me on all correspondence, if for some reason you do not wish to address it to me.

2. Change of Consultant of Record. The Owners wish to substitute ALTON GEOSCIENCE for ESE as consultant of record. Kevin M. Keenan, Senior Geologist, will be Project Manager, and will be contacting you directly to notify you of the Owners' intention to commence the scope of work identified in the Workplan.

3. Disposal of Stockpiled Soils. I have asked Mike Quillin of ESE to deliver to you copies of (a) all analytical reports pertaining to the stockpiled soils that were recently removed from the site and disposed of and (b) the manifest showing disposal as non-RCRA hazardous waste at the Kettleman Landfill of the stockpiled soils.

4. "Nearly Affected Sites". In your December 2, 1994 letter, you indicated that you would assist the Owners to attempt to obtain the cooperation of owners of "nearby affected sites" in our efforts to obtain samples of groundwater as part of the scope of the Workplan. We understand this to be a response to our request that the County assist us to obtain a data-sharing agreement or permission to obtain groundwater samples from certain wells originally installed by ECI. Please advise us whether our understanding is correct in this regard.

5. County Oversight Deposit Account. We understand that the County has no interest in assuring that the parties responsible for an environmental condition that requires County oversight actually pay oversight fees. As you know, since becoming aware of the potential problems associated with the former Chromex site, the Owners have voluntarily undertaken to investigate the site and dispose of soils excavated by The Charles Lowe Company ("Lowe") in connection with Lowe's decommissioning of its Chromex operation. The Owners have undertaken such activities to protect their interests, and to perform their legal obligations as landowners, and such actions have been done reserving all rights to claims against Lowe and its successors for reimbursement of such costs, without waiver of any claims or defenses, and without admitting any liability or wrongdoing. Subject to the foregoing, the Owners will pay to the County approximately \$3,500 oversight fees (approximately \$1,500 in past due fees owed by Lowe and its successors and a deposit against future oversight expenses of \$2,000) as requested in your December 2, 1994 letter.

6. Possibility of Enforcement Action. In your December 2, 1994 letter, you stated that, because of Lowe's recalcitrance, you were referring this matter to the District Attorney's Office for a possible enforcement action. Since becoming aware of the potential environmental contamination at the Property, it has been the Owners' intention to undertake appropriate investigation and remediation activities to timely satisfy all legal obligations as property owners. It is the Owners' belief that to date they have fulfilled this objective. Accordingly, it is our understanding that any enforcement action

would be limited to Lowe and its successors, because the Owners have voluntarily undertaken timely and appropriate actions to respond to the possibility of environmental contamination at the Property. If for any reason you believe this is not the case, please advise us specifically of any deficiencies with respect to the Owners' actions, so that we may timely correct the same.

If you have any questions or comments, or wish to discuss this matter further, please call.

Thank you.

Very truly yours,



Jeffrey M. Judd  
for O'MELVENY & MYERS

cc: Douglas P. Ley, Esq.  
Mr. Michael Parker  
Mr. William Lewerenz  
Mr. Anthony Geisler  
Ms. Gwen Tellegen  
Mr. Kevin M. Keenan

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH  
1131 Harbor Bay Parkway  
Alameda, CA 94502-6577  
(510) 729-6777

December 2, 1994

Thomas La Flamme  
c/o Thomas Short Co.,  
A Successor Corporation to:  
Charles Lowe Co.,  
1400 Park Ave.,  
Emeryville, CA., 94608

Mr. Michael Parker,  
Mr. Anthony Geisler,  
Mr. William Lewerenz,  
DBA Emeryville Properties,  
699 2nd Street,  
San Francisco, CA 94107

Subject: Chromex, 1400 Park Avenue, Emeryville, CA 94608

Dear Mr. La Flamme, Mr. Parker, Mr. Geisler, Mr. Lewerenz:

This office has received and reviewed the "Workplan for Phase II Environmental Site Assessment", dated September 29, 1994, and submitted by Environmental Science and Engineering (ESE), your consultant of record. Thank you for the submission of the subject document.

Upon review of the workplan, there are several points that should be addressed and/or otherwise need clarification **prior to** concurrence by this office:

- 1) This office should be contacted forty-eight (48) hours before initiating the Phase II investigation on site. Such activity would normally encompass the drilling of boreholes, installation of monitoring wells and other associated activities.
- 2) Please submit laboratory analysis from the stockpiled soils previously removed from the site.
- 3) Please submit a manifest for the contaminated soils removed indicating their actual final disposition.
- 4) This office will cooperate in any manner necessary for the purpose of obtaining data from nearby affected sites.



Z 773 036 466

BO



**Receipt for Certified Mail**

No Insurance Coverage Provided  
Do not use for International Mail  
(See Reverse)

PS Form 3800, March 1993

Sent to <b>Thomas La Flamme</b>	
Street and No. <b>1400 Park Ave.,</b>	
P.O., State and ZIP Code <b>Emery., CA 94608</b>	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

Z 773 036 467

BO



**Receipt for Certified Mail**

No Insurance Coverage Provided  
Do not use for International Mail  
(See Reverse)

PS Form 3800, March 1993

Sent to <b>M.Parker, A.Geisler, Wm.</b>	
Street and No. <b>Lewerenz 699 2nd St., S.F. 94107</b>	
P.O., State and ZIP Code	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

page 2 of 2

5) A "Report of Findings" should be sent to this office within thirty (30) days of the installation and subsequent development and sampling of the monitoring wells.

6) Please obtain all necessary permits from the appropriate agencies (Alameda Water District, Zone 7), if necessary.

7) There is a negative balance in the Deposit/Refund account currently open regarding this site. The Alameda County Division of Hazardous Materials, under Section 3-140.5, of Ordinance Code of the County of Alameda, can recover costs for the time spent overseeing the remediation of sites. The Chromex/Charles Lowe Company is \$2053.00 in arrears. Prior to further oversight by this office, it will be necessary to remit this sum, plus \$1000.00 for further oversight of the facility. Please be advised, this office is not concerned between responsible parties, what entity should remit the aforementioned sum(s), only that the sums be remitted. A check for \$3053.00 should be sent to this office immediately.

In light of the fact that there has been recalcitrance on the part of Charles Lowe, a copy of this document is being forwarded to the Office of the Alameda County District Attorney for review and possible enforcement.

Please call this office if you have any questions. The number is (510) 567-6737.

Sincerely,



Brian P. Oliva, REHS, REA  
Hazardous Materials Specialist

cc: Gilbert Jensen, Alameda County District Attorney's Office  
Mike Quillin, Engineering and Science Inc.,  
BC Susan Hugo, ACDEH  
Sum Arigala, RWQCB

IN CASE OF EMERGENCY OR SPILL, CALL THE NATIONAL RESPONSE CENTER 1-800-424-8802. WITHIN CALIFORNIA, CALL 1-800-852-7550  
 33211041  
 GENERATOR  
 FACILITY

<b>UNIFORM HAZARDOUS WASTE MANIFEST</b>		1. Generator's US EPA ID No. <b>CAD981573223</b>				Manifest Document No. <b>000021</b>		2. Page 1 of 1		Information in the shaded areas is not required by Federal law.	
		3. Generator's Name and Mailing Address <b>CHARLES LOWE COMPANY 1400 PARK AVENUE, EMERYVILLE, CA. 94608</b>									
4. Generator's Phone (510) 652-5900 CONTACT: STEVE SLADE										A. State Manifest Document Number <b>93277047</b>	
5. Transporter 1 Company Name <b>CARANERO</b>										B. State Generator's ID <b>HIAHQ36-01126117</b>	
6. US EPA ID Number <b>CAD982412900</b>										C. State Transporter's ID <b>429756-52</b>	
7. Transporter 2 Company Name										D. Transporter's Phone <b>(908) 729-0196</b>	
8. US EPA ID Number										E. State Transporter's ID	
9. Designated Facility Name and Site Address <b>CHEMICAL WASTE MANAGEMENT, INC. 35251 OLD SKYLINE ROAD KETTLEMAN CITY, CA. 93239</b>										F. State Facility's ID <b>CAT000646117</b>	
10. US EPA ID Number <b>CAT000646117</b>										G. Facility's Phone <b>209-386-9711</b>	
11. US DOT Description (including Proper Shipping Name, Hazard Class, and ID Number)						12. Containers		13. Total Quantity		14. Unit Wt/Vol	
						No.		Type			
a. <b>HEAVY METAL (NON RCRA LEVELS) CONTAMINATED SOIL &amp;/OR DEBRIS</b>										1. Waste Number State <b>181.611.352</b> EPA/Other	
b.										State EPA/Other	
c.										State EPA/Other	
d.										State EPA/Other	
15. Special Handling Instructions and Additional Information  <b>IN CASE OF EMERGENCY, PLEASE CALL MIKE QUILLEN AT (510) 778-1746 EMERGENCY RESPONSE GUIDEBOOK #'S: A) WEAR PROTECTIVE CLOTHING AND EYEWEAR</b>						K. Handling Codes for Wastes Listed Above <b>03</b>					
						16. GENERATOR'S CERTIFICATION: I hereby declare that the contents of the 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 federal, state and international laws.  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 <b>Steve A. Slade</b>				Signature <i>Steve Slade</i>		Month <b>11</b>		Day <b>11</b>		Year <b>94</b>	
17. Transporter 1 Acknowledgement of Receipt of Materials Printed/Typed Name <b>Ed Caranero</b>				Signature <i>Ed Caranero</i>		Month <b>11</b>		Day <b>11</b>		Year <b>94</b>	
18. Transporter 2 Acknowledgement of Receipt of Materials Printed/Typed Name				Signature		Month		Day		Year	
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 <b>Donal A Raposo</b>				Signature <i>Donal A Raposo</i>		Month <b>11</b>		Day <b>14</b>		Year <b>94</b>	

DO NOT WRITE BELOW THIS LINE.

WEIGHT (LB) TIME DATE

COMMODITY: HAZARDOUS

73000 LB 11-11-94 8:21P

DEPUTY WEIGHMASTER



CHEMICAL WASTE MANAGEMENT, INC.  
WEIGHMASTER weighed at  
35251 Old Skyline Road  
Kettleman City, CA

NO:

100911

WEIGHMASTER CERTIFICATE

This is to certify that the following described commodity was weighed, measured, or counted by a WEIGHMASTER, whose signature is on this certificate, who is a recognized authority of accuracy, as prescribed by CHAPTER 7 (commencing with § 12700) of Division 5 of the California Business & Professions Code, administered by the Division of Measurement Standards of California Department of Food and Agriculture.

GROSS:

TARE:

NET:

YARDAGE:

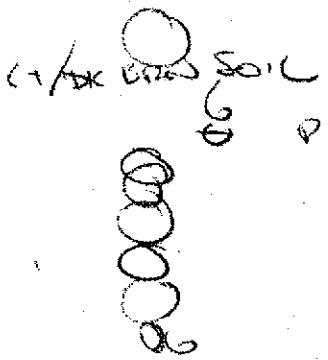
30020 LB 11-11-94 4:50P

4258 DT 184

GENERATOR Charles Law	MANIFEST 93277018	PROFILE NO. KM 6276
TRACTOR LICENSE NO. 3670610	TRAILER #1 LICENSE NO. F753601	TRAILER #2 LICENSE NO. _____

124704

Pablo Caballero



60130 MP11

1274  
3 215  
3 55  
1

\*

sun soil  
sample

O'MELVENY & MYERS

400 SOUTH HOPE STREET  
LOS ANGELES, CALIFORNIA 90071-2899  
TELEPHONE (213) 669-6000  
FACSIMILE (213) 669-6407

1999 AVENUE OF THE STARS  
LOS ANGELES, CALIFORNIA 90067-6035  
TELEPHONE (310) 553-6700  
FACSIMILE (310) 246-6779

610 NEWPORT CENTER DRIVE  
NEWPORT BEACH, CALIFORNIA 92660-6429  
TELEPHONE (714) 760-9600  
FACSIMILE (714) 669-6994

555 13TH STREET, N.W.  
WASHINGTON, D. C. 20004-1109  
TELEPHONE (202) 383-5300  
FACSIMILE (202) 383-6414

EMBARCADERO CENTER WEST

275 BATTERY STREET  
SAN FRANCISCO, CALIFORNIA 94111-3305

TELEPHONE (415) 984-8700

FACSIMILE (415) 984-8701

September 29, 1994

ALCO  
HAZMAT

SEP 30 AM 9:55

CITICORP CENTER  
153 EAST 53RD STREET  
NEW YORK, NEW YORK 10022-4611  
TELEPHONE (212) 326-2000  
FACSIMILE (212) 326-2061

10 FINSBURY SQUARE  
LONDON EC2A 1LA  
TELEPHONE (071) 256-8451  
FACSIMILE (071) 638-8205

SANBANCHO KB-6 BUILDING  
6 SANBANCHO, CHIYODA-KU  
TOKYO 102  
TELEPHONE (03) 3239-2800  
FACSIMILE (03) 3239-2432

WRITER'S DIRECT DIAL NUMBER

(415) 984-8798

OUR FILE NUMBER

650,627-011  
182721.V1

BY TELECOPY AND FIRST CLASS MAIL

ALAMEDA COUNTY DEPARTMENT OF ENVIRONMENTAL HEALTH  
Hazardous Materials Division  
1131 Harbor Way Parkway  
Alameda, California 94502  
Attn: Ms. Susan L. Hugo  
Mr. Brian P. Oliva

Re: In Re The Property Known As Chromex Inc.; 1400  
Park Avenue, Emeryville, CA 94608 (Regional Water  
Quality Control Board File No. 2223.09 (SA))

Dear Ms. Hugo and Mr. Oliva:

This letter confirms my discussion with Mr. Oliva respecting the Notice of Official Action ("Notice") By the San Francisco Bay Regional Water Quality Control Board (the "Board") dated August 31, 1994 and served on the owners of the property located at 1400 Park Avenue in Emeryville, California (the "Property") by the Alameda County Department of Environmental Health, Hazardous Materials Division (the "County"), and addresses certain issues raised by the Notice and the Board's Legal Request for Submittal of a Technical Report dated August 26, 1994 (the "Request for Technical Report").

First, there appears to be a slight inconsistency between the Notice and the Request for Technical Report in that the Notice directs the owners of the Property (the "Owners") to coordinate future activities with Ms. Hugo, while the Request for Technical Report directs the Owners to communicate with Mr. Oliva. Subject to further notice, the Owners will continue to communicate through O'Melveny & Myers with Mr. Oliva about environmental activities at the Property and with regard to the Notice and the Request for Technical Report. If our understanding of proper communications protocol is not correct,

please advise me at your earliest opportunity. Furthermore, please direct all further communications regarding the Property, the Notice and the Request for Technical Report to the undersigned. The Owners have also authorized O'Melveny & Myers to accept service on their behalf of notices pertaining to or arising from the Notice and/or Request for Technical Report.

On or about August 23, 1994, Environmental Science and Engineering, Inc. ("ESE") delivered to the attention of Mr. Oliva a copy of the Phase I Environmental Site Assessment dated August 23, 1994 that pertains to the Property. Accordingly, it is our understanding that the item numbered "1" in the Request for Technical Report is satisfied.


A work plan to define the vertical and lateral extent of any chromium contamination in soil and/or groundwater at the Property is being delivered under separate cover to Mr. Oliva for receipt on September 30, 1994. Additionally, soils excavated from the former Chromex facility that have been stockpiled at the Property will be properly disposed of prior to October 7, 1994, as discussed in Michael Quillin's September 28, 1994 letter to Mr. Oliva. With the exception of an additional week to properly dispose of stockpiled soils, the foregoing is consistent with the representations contained in my August 12, 1994 letter to Mr. Oliva. Accordingly, the item numbered "2" in the Request for Technical Report will be satisfied as of September 30, 1994.

However, items numbered "3," "4," and "5" -- which are predicated on assumptions that contaminant plumes exist under, are migrating from and/or originate at the Property (all of which are untested assumptions to date) -- cannot reasonably be completed, if they are indeed necessary, until an investigation pursuant to the workplan required under number "2" has been completed. Under no circumstances can this reasonably be accomplished prior to September 30, 1994. Accordingly, I respectfully request that the County toll the requirements set forth in the Request for Technical Report numbers "3," "4" and "5" until after the investigation contemplated in the workplan is complete. At that time, the County can reevaluate the need for such requirements and, if necessary, set a reasonable schedule for their completion. If you consent to our request, please confirm your agreement in writing.

Page 3 - Alameda County Department of Environmental Health,  
Hazardous Materials Division - September 29, 1994

If you have any questions, or if you do not consent to  
our request to toll the requirements numbered "3," "4" and "5,"  
please call. Thank you.

Very truly yours,



Jeffrey M. Judd  
for O'MELVENY & MYERS



Environmental  
Science &  
Engineering, Inc.

ALCO  
HAZLIST  
54 SEP 30 AM 9:55

September 28, 1994

Mr. Brian Oliva, Hazardous Materials Specialist  
Alameda County Health Care Services Agency  
Department of Environmental Health  
1131 Harbor Bay Parkway  
Alameda, CA 94502

**SUBJECT: CHARLES LOWE COMPANY, 1400 PARK AVENUE  
EMERYVILLE, CALIFORNIA  
ESE PROJECT NO. 6-94-5246**

Dear Mr. Oliva:

Environmental Science & Engineering, Inc. (ESE) presents this letter describing the current status of soil stockpiled at the subject site. You will recall that the soil was excavated circa 1992 in association with Chromex facility decommissioning.

In July of this year, ESE collected representative samples from the two resultant stockpiles for the purpose of profiling the material for appropriate disposal. Laboratory analyses included chromium (VI), total lead, chlorinated hydrocarbons, and pH. Analytical results were summarized in ESE's Phase I Environmental Site Assessment Report (August 23, 1994), which was submitted to you.

ESE has been working with Integrated Wastestream Management, Inc. (IWM) of Milpitas to coordinate disposal of the soil at BFI's newly-opened Class II cell at Pittsburg, California. To facilitate disposal, we conducted additional analysis for CA Wet lead, as total lead concentrations initially reported were in excess of 10 times the Title 26 STLC for lead (though results were significantly below the TTLC of 500 parts per million for lead). CA Wet lead results for the composite samples from the two stockpiles were 1 part per million and nondetectable, respectively, indicating that the soil is not hazardous by virtue of soluble lead concentrations.

We considered the additional lead analyses to be sufficient to coordinate disposal of the materials on or before Friday, September 30, 1994. However, we were informed on Monday, September 26 that BFI now requires analysis for total chromium (chromium VI concentrations in composite samples were nondetectable). We are having that analysis performed on the samples on a rush turnaround basis, and results will be available Friday morning. Unfortunately, we will not be able to coordinate disposal by Friday, even if total chromium concentrations are, as expected, well below applicable Title 26 guidelines.



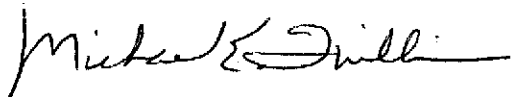
Mr. Oliva  
September 28, 1994  
page 2

IWM informs us that, once analytical results for total chromium are obtained, we can coordinate disposal of the materials on or before Friday, October 7. We are currently finalizing manifest information required by BFI so that we can meet that schedule.

We still anticipate submitting the Workplan for Additional Site Assessment to your attention on Friday, September 30, as required. Implementation of the work described therein (notwithstanding the Phase I ESA, which has been completed and the report submitted to your office) will commence upon receiving approval from you.

We apologize that we were not able to meet the appropriate deadline for removal of the soil, and would like to assure you that our intention is to "fast-track" completion of that work and the work described in the subject workplan. If you have any questions about this letter or about the status of this project, do not hesitate to contact me at (510) 685-4053.

Sincerely,  
ENVIRONMENTAL SCIENCE & ENGINEERING, INC.



Michael E. Quillin, RG 5315  
Senior Hydrogeologist  
Manager, Geosciences

cc: Mr. Jeffrey M. Judd, O'Melveny & Myers

F:\6945246\olivaltr.928

## MEMORANDUM

DATE: September 13, 1994

TO: Files

FROM: Brian P. Oliva

SUBJ: 1400 Park Ave., Emeryville, CA 94608/notes from phone  
conversations, meetings 9/13/94

I spoke with several people regarding this site today. I contacted Jeff Judd, lawyer for the owners of the property and with the consultant with the owners from ESE. The attorney for the owners asked about receipt of the phase I workplan for the site (we have received the plan). The consultant spoke to me about the timeframe for submittal of the phase II work plan. I have given him a reasonable amount of time, (2 weeks) in light of the fact that they are co-operating with the required clean-up.

---

Site Visit - observation  
on 9/13/94

Alameda County Health Care Services Agency, Department of  
Environmental Health, Hazardous Materials Division

In Re The Property Known As : )  
Chromex Inc. )  
1400 Park Avenue )  
Emeryville, CA 94608 )  
\_\_\_\_\_ )  
\_\_\_\_\_ )

Notice of Official Action  
By the San Francisco Bay  
Regional Water Quality  
Control Board

Dear Sirs:

The attached Official Notice of Request for Technical Reports pursuant to Water Code Section 13267(b) has been forwarded to this office for legal service, and oversight. As the Agency responsible for enforcing the terms of this Official Action, all communication should continue to be directed to this office. Please make arrangements to comply by calling me at (510) 271-4530 to coordinate all future activities.

Failure to comply could result in liability for civil or administrative penalties of up to \$1000 per day of delinquency.

I Susan L. Hugo, do hereby certify

that I served Mr. Michael Parker  
with a copy of the attached Notice of Official Action by the  
Regional Board by certified mailer

# Z 773 036 312

Dated: 8/31/94

Susan L. Hugo  
(signature)

Z 773 036 312



**Receipt for  
Certified Mail**

No Insurance Coverage Provided  
Do not use for International Mail  
(See Reverse)

Sent to <i>MR. MICHAEL PARKER</i>	
<i>DRA EMERWILLE PROPERTIES</i>	
Street and No. <i>699 2nd Street</i>	
P.O., State and ZIP Code <i>SAN FRANCISCO, CA 94107</i>	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

PS Form 3800, March 1993

Alameda County Health Care Services Agency, Department of  
Environmental Health, Hazardous Materials Division

In Re The Property Known As : )  
Chromex Inc. )  
1400 Park Avenue )  
Emeryville, CA 94608 )  
\_\_\_\_\_ )  
\_\_\_\_\_ )

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Regional Water Quality  
Control Board

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Failure to comply could result in liability for civil or administrative penalties of up to \$1000 per day of delinquency.

I Susan L. Hugo, do hereby certify

that I served Mr. Anthony Geisler  
with a copy of the attached Notice of Official Action by the  
Regional Board by certified mailer

# Z 773 036 313

Dated: 8/31/94

Susan L. Hugo  
(signature)

Z 773 036 313



**Receipt for  
Certified Mail**

No Insurance Coverage Provided  
Do not use for International Mail  
(See Reverse)

Sent to <i>MR. ANTHONY GEISLER DBA EYERVILLE PROPERTIES</i>	
Street and No. <i>699 - 2nd Street</i>	
P.O., State and ZIP Code <i>San Francisco, CA 94107</i>	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

PS Form 3800, March 1983

Alameda County Health Care Services Agency, Department of  
Environmental Health, Hazardous Materials Division

In Re The Property Known As : )  
Chromex Inc. )  
1400 Park Avenue )  
Emeryville, CA 94608 )  
\_\_\_\_\_ )  
\_\_\_\_\_ )

Notice of Official Action  
By the San Francisco Bay  
Regional Water Quality  
Control Board

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Failure to comply could result in liability for civil or administrative penalties of up to \$1000 per day of delinquency.

I Susan L. Hugo, do hereby certify

that I served Mr. William Lewerenz  
with a copy of the attached Notice of Official Action by the  
Regional Board by certified mailer

# Z 773 036 530

Dated: 8/31/94

Susan L. Hugo  
(signature)

Z 773 036 530



**Receipt for  
Certified Mail**

No Insurance Coverage Provided  
Do not use for International Mail  
(See Reverse)

Sent to	
MR. WILLIAM LEWERENZ	
Street and No. 75A PROPERTIES	
699 2nd Street	
P.O., State and ZIP Code	
SAN FRANCISCO CA 94107	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

PS Form 3800, March 1993



Alameda County Health Care Services Agency, Department of  
Environmental Health, Hazardous Materials Division

In Re The Property Known As : )  
Chromex Inc. )  
1400 Park Avenue )  
Emeryville, CA 94608 )  
\_\_\_\_\_ )  
\_\_\_\_\_ )

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By the San Francisco Bay  
Regional Water Quality  
Control Board

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Failure to comply could result in liability for civil or administrative penalties of up to \$1000 per day of delinquency.

I Susan L. Hugo, do hereby certify

that I served Mr. Tom La Flamme  
with a copy of the attached Notice of Official Action by the  
Regional Board by certified mailer

# Z 773 036 531

Dated: 8/31/94

Susan L. Hugo  
(signature)

Z 773 036 531



**Receipt for  
Certified Mail**

No Insurance Coverage Provided  
Do not use for International Mail  
(See Reverse)

Sent to	
MR. TOM LA FLAMME	
Street and No.	
3430 WOOD STREET	
P.O., State and ZIP Code	
OAKLAND CA 94608	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

PS Form 3800, March 1993

ALCO  
HAZMAT

STATE OF CALIFORNIA

PETE WILSON, Governor

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

SAN FRANCISCO BAY REGION

2101 WEBSTER STREET, SUITE 500

OAKLAND, CA 94612

(510) 286-1255



Charles Lowe Inc.  
a Sucessor Corporation to Chromex Inc  
and, a Wholly owned subsidiary of:  
Thomas A Short Inc.,  
C/O Tom La Flamme,  
3430 Wood Street,  
Oakland, CA 94608

August 26, 1994  
File No.: 2223.09 (SA)

Mr. Michael Parker,  
Mr. Anthoney Geisler,  
Mr. William Lewerenz,  
DBA Emeryville Properties  
699 2nd Street,  
San Francisco, Ca, 94107

RE: Chromex, 1400 Park Avenue, Emeryville, Alameda, Legal  
Request for Submittal of a Technical Report Resulting from  
the Alameda County Department of Environmental Health's  
Enforcement Panel Meeting of May 19, 1994.

Dear Mr. La Flamme, Mr. Parker, Mr. Geisler, Mr. Lewerenz:

It has been brought to my attention by Regional Board staff that a condition of soil and ground water pollution exists on your property from an unauthorized release associated with facility operation at the site. The Alameda County Department of Environmental Health (ACHD) staff have requested technical reports from you to fulfill your obligations per California Water Code.

A Pre-Enforcement Review Panel meeting was held at the ACHD Offices on May 19, 1994 attended by Mr. Kevin Graves, of my staff. Following the panel meeting, all parties were given the opportunity to submit additional materials up through and including August 12, 1994. That time having passed and pursuant to the Regional Board's authority under Section 13267(b) of the California Water Code, you are hereby required to submit a technical report to address soil and ground water pollution by September 30, 1994. This technical report should specifically address the following numbered items:

- 1) A report discussing the investigation regarding the contamination at the site completed to date and shall include but not limited to the groundwater monitoring data, monitoring well construction diagrams, soil boring data.
- 2) A work plan to define the vertical and lateral extent of the chromium contamination in soil and groundwater.

Enforcement Panel Meeting

Page 2 of 2

- 3) Interim remedial measures implemented or proposed to prevent the migration of the plumes to adjacent sites.
- 4) Proposed remedial action to be implemented at the site to prevent the migration and impact of the plumes to adjacent sites;
- 5) Determination of potential health risk posed by the presence of the contaminant plumes to on-site workers and to occupants of adjacent sites;

I am hereby transmitting this request for a technical report to ACHD for service and case handling. You should be aware that failure on your part to submit the requested technical report, or a submittal received after the date specified in this request may result in fines up to \$1,000 per day of delinquency. Your response to this technical report request should be sent to Brian P. Oliva, at ACHD.

Please be advised that this is a formal request for technical reports pursuant to California Water Code Section 13267(b). Any extensions of the stated deadlines, or modifications of the required tasks, must be confirmed in writing by either this agency or the Alameda County Department of Environmental Health, Hazardous Materials Division.

If you have any questions regarding the contents of this letter, please contact Brian P. Oliva, of ACHD at (510) 567-6737.

Sincerely,

Steven R. Ritchie  
Executive Officer



Steven I. Morse  
Chief, Toxics

cc: Gil Jensen, Alameda County District Attorney's Office,  
Consumer & Environmental Protection Division.

Brian P. Oliva, Hazardous Materials Specialist, ACHD  
Jeff Judd, Attorney at Law 275 Battery St.,  
San Francisco, CA 94111

ALCO  
HAZMAT

91 AUG 26 PM 3:20

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

SAN FRANCISCO BAY REGION

2101 WEBSTER STREET, SUITE 500

OAKLAND, CA 94612

(510) 286-1255



Mr. Kent Garvens  
President  
Electro-Coatings Inc.  
1401 Park Avenue  
Emeryville, CA 94608

August 26, 1994  
File No.: 2223.09 (SA)

Mr. Francis Tompkins  
General Partner  
Fourteen Twenty One Park Avenue Associates  
2140 Redington Road  
Hillsborough, CA 94010

RE: Electro Coatings Inc., 1401 & 1421 Park Avenue, Emeryville, Alameda, Legal Request for Submittal of a Technical Report Resulting from the Alameda County Department of Environmental Health's Enforcement Panel Meeting of May 19, 1994.

Dear Mr. Garvens and Mr. Tompkins:

It has been brought to my attention by Regional Board staff that a condition of soil and ground water pollution exists on your property from an unauthorized release associated with facility operation at the site. The Alameda County Department of Environmental Health (ACHD) staff have requested technical reports from you to fulfill your obligations per California Water Code.

A Pre-Enforcement Review Panel meeting was held at the ACHD Offices on May 19, 1994 attended by Mr. Kevin Graves, of my staff. Following the panel meeting, all parties were given the opportunity to submit additional materials up through and including August 12, 1994. That time having passed and pursuant to the Regional Board's authority under Section 13267(b) of the California Water Code, you are hereby required to submit a technical report to address soil and ground water pollution by September 30, 1994. This technical report should specifically address the following numbered items:

- 1) A report discussing the investigation regarding the contamination at the site completed to date and shall include but not limited to the groundwater monitoring data, monitoring well construction diagrams, soil boring data.
- 2) A work plan to define the vertical and lateral extent of the chlorinated solvents (VOC's) and the chromium contamination in soil and groundwater.
- 3) Interim remedial measures implemented or proposed to prevent the migration of the plumes to adjacent sites.

Enforcement Panel Meeting  
Page 2 of 2

- 4) A report documenting the removal of the underground storage tanks at the site and analytical results of soil samples collected.
- 5) Proposed remedial action to be implemented at the site to prevent the migration and impact of the plumes to adjacent sites;
- 6) Determination of potential health risk posed by the presence of the contaminant plumes to on-site workers and to occupants of adjacent sites;

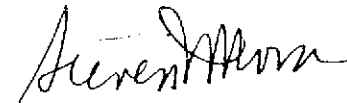
I am hereby transmitting this request for a technical report to ACHD for service and case handling. You should be aware that failure on your part to submit the requested technical report, or a submittal received after the date specified in this request may result in fines up to \$1,000 per day of delinquency. Your response to this technical report request should be sent to Susan L. Hugo at ACHD.

**Please be advised that this is a formal request for technical reports pursuant to California Water Code Section 13267(b). Any extensions of the stated deadlines, or modifications of the required tasks, must be confirmed in writing by either this agency or the Alameda County Department of Environmental Health, Hazardous Materials Division.**

If you have any questions regarding the contents of this letter, please contact Susan L. Hugo of ACHD at (510) 567-6780.

Sincerely,

Steven R. Ritchie  
Executive Officer



Steven I. Morse  
Chief, Toxics

cc: Gil Jensen, Alameda County District Attorney's Office,  
Consumer & Environmental Protection Division.  
Susan L. Hugo, Senior Hazardous Materials Specialist, ACHD



Environmental  
Science &  
Engineering, Inc.

ALCO  
HAZMAT  
9/24/94 05 PM 1:31

TO: Alameda County  
Department of Environmental Health  
1131 Harbor Bay Parkway  
Alameda, CA 94502

DATE: August 24, 1994

ATTN: Mr. Brian Oliva

JOB NUMBER: 6945246

SUBJECT: Former Chromex Facility at Charles Lowe Company  
1400 Park Avenue, Emeryville, California

WE ARE TRANSMITTING THE FOLLOWING:

Phase I Environmental Site Assessment Report for Subject Site.

DIST:  
LB  
FILE  
ORIGINATOR

ENVIRONMENTAL SCIENCE & ENGINEERING, INC.  
BY Michael E. Quillin  
Michael E. Quillin, RG  
Manager, Geosciences

August 19, 1994

Charles Lowe Inc., a Sucessor Corporation to Chromex Inc, and,  
A Wholly owned subsidiary of:  
Thomas A Short Inc.,  
C/O Tom La Flamme,  
3430 Wood Street,  
Oakland, CA 94608

Mr. Michael Parker,  
Mr. Anthoney Geisler,  
Mr. William Lewerenz,  
DBA Emeryville Properties  
699 2nd Street,  
San Francisco, Ca, 94107

RE: *1400 Park Ave. Emeryville*  
**Legal Request for Submittal of a Technical Report Resulting  
from the Alameda County Department of Environmental  
Health's Enforcement Panel Meeting of May 19, 1994.**

Dear Mr. La Flamme, Mr. Parker, Mr. Lewerenz, Mr. Geisler:

It has been brought to my attention by Regional Board staff that a condition of soil and ground water pollution exists on your property from an unauthorized release associated with facility operation at the site. The Alameda County Department of Environmental Health (ACHD) staff have requested technical reports from you to fulfill your obligations per California Water Code.

A Pre-Enforcement Review Panel meeting was held at the ACHD Offices on May 19, 1994 attended by Mr. Kevin Graves, of my staff. Following the panel meeting, all parties were given the opportunity to submit additional materials up through and including August 12, 1994. That time having passed and pursuant to the Regional Board's authority under Section 13267(b) of the California Water Code, you are hereby required to submit a technical report to address soil and ground water pollution by September 30, 1994. This technical report should specifically address the following numbered items:



Enforcement Panel Meeting  
Page 3 of 3

If you have any questions regarding the contents of this letter,  
please contact Brian P. Oliva, of ACHD at (510) 567-6737.

Sincerely,

Steven R. Ritchie  
Executive Officer

Steven I. Morse  
Chief, Toxic Cleanup Division

cc: Gil Jensen, Alameda County District Attorney's Office,  
Consumer & Environmental Protection Division.

Brian P. Oliva, Hazardous Materials Specialist, ACHD  
Jeff Judd, Attorney at Law 275 Battery St.,  
San Francisco, CA 94111

August 16, 1994

Ms. Kathleen Poling  
Electro-Coatings Inc.  
1401 Park Avenue  
Emeryville, CA 94608

Mr. Peter McGaw or  
Fourteen Twenty One Park Avenue Asso.  
2140 Redington Road  
Hillsborough, CA 94010

*Brian,  
this is an updated  
version of the letter  
I gave you yesterday.*

*Brian  
8/17/94  
PS I'll submit my letter  
to RWQCB today.*

RE: **Legal Request for Submittal of a Technical Report Resulting from the Alameda County Department of Environmental Health's Enforcement Panel Meeting of May 19, 1994.**

Dear Ms. Poling and Mr. McGaw:

It has been brought to my attention by Regional Board staff that a condition of soil and ground water pollution exists on your property from an unauthorized release associated with facility operation at the site. The Alameda County Department of Environmental Health (ACHD) staff have requested technical reports from you to fulfill your obligations per California Water Code, ~~Section 13304~~.

A Pre-Enforcement Review Panel meeting was held at the ACHD Offices on **May 19, 1994** attended by **Mr. Kevin Graves**, of my staff. Following the panel meeting, all parties were given the opportunity to submit additional materials up through and including August 12, 1994. That time having passed and pursuant to the Regional Board's authority under Section 13267(b) of the California Water Code, you are hereby required to submit a technical report to address soil and ground water pollution by **September 30, 1994**. This technical report should specifically address the following numbered items:

- 1) A report discussing the investigation regarding the contamination at the site completed to date and shall include but not limited to the groundwater monitoring data, monitoring well construction diagrams, soil boring data.
- 2) A work plan to define the vertical and lateral extent of the chlorinated solvents (VOC's) and the chromium contamination in soil and groundwater.
- 3) Interim remedial measures implemented or proposed to prevent the migration of the plumes to adjacent sites.

## O'MELVENY &amp; MYERS

400 SOUTH HOPE STREET  
LOS ANGELES, CALIFORNIA 90071-2899  
TELEPHONE (213) 659-6000  
FACSIMILE (213) 659-8407

1999 AVENUE OF THE STARS  
LOS ANGELES, CALIFORNIA 90067-5025  
TELEPHONE (310) 553-8700  
FACSIMILE (310) 346-6779

810 NEWPORT CENTER DRIVE  
NEWPORT BEACH, CALIFORNIA 92660-6429  
TELEPHONE (714) 750-9600  
FACSIMILE (714) 889-8994

555 13<sup>TH</sup> STREET, N.W.  
WASHINGTON, D. C. 20004-1109  
TELEPHONE (202) 383-6300  
FACSIMILE (202) 383-5414

EMBARCADERO CENTER WEST  
275 BATTERY STREET  
SAN FRANCISCO, CALIFORNIA 94111-3305

TELEPHONE (415) 984-8700  
FACSIMILE (415) 984-8701

August 12, 1994

CITICORP CENTER  
153 EAST 53<sup>RD</sup> STREET  
NEW YORK, NEW YORK 10022-4611  
TELEPHONE (212) 226-2000  
FACSIMILE (212) 520-2081

10 FINSBURY SQUARE  
LONDON EC2A 1LA  
TELEPHONE (071) 250-8481  
FACSIMILE (071) 638-0203

SANBANCO K8-B BUILDING  
6 SANBANCHO, CHYODOKU  
TOKYO 102  
TELEPHONE (03) 3239-2400  
FACSIMILE (03) 3239-2432

WRITER'S DIRECT DIAL NUMBER  
(415) 984-8798

OUR FILE NUMBER  
650,627-011  
180666.71

Mr. Brian Oliva  
ALAMEDA COUNTY DEPARTMENT OF ENVIRONMENTAL HEALTH  
Hazardous Materials Division  
1131 Harbor Bay  
Alameda, California 94502

Re: 1400 Park Avenue, Emeryville

Dear Mr. Oliva:

As you requested, this letter informally summarizes the activities undertaken by Emeryville Properties, the owners of the property located at 1400 Park Avenue in Emeryville, California (the "Property"), in connection with the suspected contamination caused by operations at the Property undertaken by the tenant, The Charles Lowe Company ("Lowe").

#### I. BACKGROUND

On or about April 19, 1994, Brian P. Oliva of the Alameda County Department of Environmental Health, Hazardous Materials Division ("County") contacted the Emeryville Properties' principals to advise them of the existence of potential environmental problems arising from the failure of Chromex, a Division of Lowe, to complete the closure of a hard chrome plating facility. Specifically, Mr. Oliva advised that (A) Lowe had removed a concrete containment vault that surrounded several above-ground chrome plating tanks; (B) preliminary subsurface investigation indicated that chrome and/or TCE may be present in soils and/or groundwater at the Property; (C) Lowe had subsequently backfilled the excavation without County oversight or required permits and without performing any environmental assessment as the County had required; and (D) Mr. Oliva was considering referring the matter to the Alameda County District Attorney's office.

## O'MELVENY &amp; MYERS

400 SOUTH HOPE STREET  
LOS ANGELES, CALIFORNIA 90071-2899  
TELEPHONE (213) 659-6000  
FACSIMILE (213) 659-6407

1999 AVENUE OF THE STARS  
LOS ANGELES, CALIFORNIA 90067-5036  
TELEPHONE (310) 553-8700  
FACSIMILE (310) 248-6776

810 NEWPORT CENTER DRIVE  
NEWPORT BEACH, CALIFORNIA 92660-8429  
TELEPHONE (714) 760-9600  
FACSIMILE (714) 689-8994

568 13TH STREET, N.W.  
WASHINGTON, D. C. 20004-1109  
TELEPHONE (202) 383-6300  
FACSIMILE (202) 383-6416

EMBARCADERO CENTER WEST  
275 BATTERY STREET  
SAN FRANCISCO, CALIFORNIA 94111-3305

TELEPHONE (415) 984-8700

FACSIMILE (415) 984-8701

August 12, 1994

CITICORP CENTER  
153 EAST 53RD STREET  
NEW YORK, NEW YORK 10022-4611  
TELEPHONE (212) 326-2000  
FACSIMILE (212) 326-2051

10 FINCHBURY SQUARE  
LONDON EC2A 1LA  
TELEPHONE (071) 256-8451  
FACSIMILE (071) 628-8205

SANBANCHO KB-6 BUILDING  
6 SANBANCHO, CHIYODAI-KU  
TOKYO 102  
TELEPHONE (03) 2229-2600  
FACSIMILE (03) 2229-2432

WRITER'S DIRECT DIAL NUMBER  
(415) 984-3798

OUR FILE NUMBER  
650,627-011  
180666.V1

Mr. Brian Oliva  
ALAMEDA COUNTY DEPARTMENT OF ENVIRONMENTAL HEALTH  
Hazardous Materials Division  
1131 Harbor Bay  
Alameda, California 94502

Re: 1400 Park Avenue, Emeryville

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As you requested, this letter informally summarizes the activities undertaken by Emeryville Properties, the owners of the property located at 1400 Park Avenue in Emeryville, California (the "Property"), in connection with the suspected contamination caused by operations at the Property undertaken by the tenant, The Charles Lowe Company ("Lowe").

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Page 2 - Mr. Brian Oliva - August 12, 1994

Shortly thereafter, Emeryville Properties retained O'Melveny & Myers to provide legal advice in connection with the potential environmental contamination of the Property and any issues that may arise in connection with such condition. We preliminarily reviewed the County's files respecting Lowe's attempts to close the plating facility and retained Environmental Science & Engineering, Inc. ("ESE") to assist us in advising Emeryville Properties.

We authorized ESE to conduct a preliminary site inspection and obtained Lowe's agreement to allow Emeryville Properties' consultants to conduct an investigation and, if necessary, remediation at the former chrome plating facility. On May 18, 1994, ESE conducted a preliminary site inspection. At that time, ESE observed that: (i) the concrete excavation site had been filled in; (ii) what appeared to be soils from the excavation were stockpiled on site; and (iii) unlabeled drums of liquid containing what was reported to be water removed from the excavation pit were stored on site. ESE further determined that while Lowe does employ a small "Gunk tank" type degreasing unit and paint booth at its facility, the amount of solvents and paints stored on site are minimal. This solvent tank was serviced by an outside vendor, so Lowe never handled any solvents directly.

Based on our review of the County's file pertaining to the Property, it appears that Lowe's consultants recommended that Lowe (a) over-excavate the pit until chemical analyses verified that all chrome-contaminated soil had been removed from the pit, (b) dispose of contaminated soil at a proper off-site facility, and (c) fill in the pit with pea gravel and clean fill. However, there is no record of any analysis of soils excavated from the vault pit. Further, there is no record of a request for County oversight, and no workplan was submitted to the County notwithstanding the County's demand for such a workplan. ESE discussed the matter with Lowe's consultant-contractors, Excel Trans, Inc. ("ETI"), and determined that whatever excavation of soils and backfilling had been done without ETI's involvement.

Prior to being informed of the situation by Mr. Oliva in April 1994, Lowe had repeatedly advised Emeryville Properties that it was closing the chrome plating facility pursuant to applicable law and County oversight, and that Lowe expected to receive a closure letter from the County in due course.

On May 19, 1994, Emeryville Properties voluntarily participated in a Pre-Referral and Pre-Enforcement review hearing conducted by Gil Jensen of the Alameda County District Attorney's office.

Page 3 - Mr. Brian Oliva - August 12, 1994

## II. POST-HEARING ACTIVITIES

A. Phase I Assessment. Since the May 19, 1994 hearing, ESE has completed a "Phase I" environmental assessment of the Property, which included a detailed review of regulatory files pertaining to the nearby Sherwin Williams facility, the Electro-Coatings, Inc. ("ECI") facility and the DelMonte facility -- three remediation sites near the Property, two with documented VOC releases. Once ESE's Phase I Report is finalized (presently expected to be delivered to the County by August 19, 1994), ESE will prepare a Phase II workplan to allow Emeryville Properties to characterize the nature and extent of contamination, if any, at the Property. Emeryville Properties will submit that workplan by August 19, 1994 for County review, comment and approval.

B. Phase II Workplan. The Phase II workplan will include plans to perform the tasks summarized below:

1. Obtain and review existing data available from ECI's ground water sampling program to (i) incorporate ground water elevation and analytical data applicable to the Property into the work to be performed by Emeryville Properties' consultants and (ii) identify data gaps that require additional ground water sampling. Efforts will be made to obtain data and additional sampling and monitoring results from other ground water monitoring wells within a reasonable radius of the Property. All ground water samples will be analyzed for:

- halogenated volatile organic compounds using EPA Method 8010;
- copper, lead, zinc and silver using EPA Method 6010 inductively coupled plasma spectroscopy; and
- hexavalent chromium using EPA Methods 7195, 7196 and 7197.

2. Obtain soil borings from the center and perimeter of the pit at the former vault site, which Lowe backfilled without County permission or oversight. The same analytical tests described above will be performed on soil samples, with the addition of soluble hexavalent chromium.

3. Install and develop additional ground water monitoring wells at appropriate locations at the Property, including the former vault area, to obtain ground water samples to determine whether ground water has been impacted by any of the chemicals of potential concern.

Page 4 - Mr. Brian Oliva - August 12, 1994

4. Prepare a report consistent with Tri-Regional Board and Alameda County guidelines, which will include a detailed discussion of findings, and ground water elevation data and analytical results in tabular and graphical form. Laboratory reports, field and boring logs, and other pertinent data will be provided as appendices to the report. The report will be prepared under the direct supervision of a California Registered Geologist. Copies will be submitted to the County and to the San Francisco Bay Regional Water Quality Control Board ("Regional Board").

5. If ground water is shown to be impacted with one or more of the chemicals of potential concern, a monitoring and reporting program will be initiated in accordance with Regional Board requirements. Chemicals of potential concern that are not detected during the Phase II assessment will be eliminated from the list of sample constituents. Monitoring reports will be submitted to the County and Regional Board and will include recommendations for additional investigation, or changes to scope of monitoring, as appropriate.

C. Stockpiled Soils. ESE sampled and analyzed the soils stockpiled at the Property, and determined that all such soils may be disposed of at a non-hazardous landfill site. Emeryville Properties is presently negotiating with Lowe to cause the stockpiled soils to be disposed of properly. We expect disposal of the stockpiled soil will be completed before September 30, 1994.

\* \* \* \* \*

Although Emeryville Properties is voluntarily undertaking to investigate and is prepared, if necessary, to remediate environmental contamination, if any, at the Property, it is doing so only as owner and not as a party responsible for any discharge or release of hazardous materials into the environment. Accordingly, Emeryville Properties reserves all rights to make claims on, or bring actions against, Lowe and/or any other parties responsible for contamination at the Property. Furthermore, by voluntarily causing a remedial investigation and possibly undertaking remedial action, Emeryville Properties is not admitting to any liability or wrongdoing and is not waiving, nor should it be deemed to have waived, any claims, defenses or actions arising from or in connection with contamination, if any, of, at, on or underneath the Property.

Page 5 - Mr. Brian Oliva - August 12, 1994

If you have any questions or comments, or wish to discuss this matter further, please call.

Very truly yours,

  
Jeffrey M. Judd  
for O'MELVENY & MYERS

cc: Douglas P. Ley, Esq.  
Mr. Michael Parker  
Mr. William Lewerenz  
Mr. Anthony Geisler



Alameda County Department of Environmental Health  
Hazardous Materials Division

80 Swan Way, Rm. 200, Oakland, CA 94621  
Ph: 510-271-4320

**BILLING FOR SERVICES**

SHD# 319

A. Site Name CHROME X - CHARLES (new) Phone \_\_\_\_\_  
Site Address 1400 PARK ST  
(If no address, description of area) Number Street City Zip  
Prior Business Name \_\_\_\_\_ Prior Owner's Name \_\_\_\_\_

B. Service Requestor BRIAN P. McALOON ESE 685-4053  
Contact Person Company Name Phone  
Billing Address 4090 Nelson Ave Suite J, Concord, Ca 94520  
Number Street City Zip

Category of Service	#Hours	x \$		\$
<input checked="" type="checkbox"/> Site Search			<u>75/Hr</u>	<u>\$ 75</u>
<input type="checkbox"/> File Search			<u>10</u>	<u>\$ 85</u>
<input type="checkbox"/> Other				
			TOTAL CHARGE:	<u>\$ 85.00</u>

REMARKS: TO BE Billed

You will receive an invoice in accordance with Article 11 of Chapter 6, Title 3 of the Ordinance Code of Alameda County

Service Requestor X BRIAN McALOON X P M Date X 11 JULY '94  
printed name signature  
HazMat Specialist BRIAN P. OLIVA Date 7/11/94  
printed name signature

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, Assistant Agency Director

DEPARTMENT OF ENVIRONMENTAL HEALTH  
Hazardous Materials Division  
80 Swan Way, Rm. 200  
Oakland, CA 94621  
(510) 271-4320

May 25, 1994

ATTN: Steven Slade

Chromex  
1400 Park Ave  
Emeryville CA 94608

RE: Project # 5000A - M  
at 1400 Park Ave in Emeryville 94608

Dear Property Owner/Designee:

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 \$5,000.00, payable to Alameda County.

Please write your project number and site address on your check.

We must receive this deposit before we perform any further work on this project. At the completion of this project, any unused monies will be refunded to you or your designee.

If you have any questions, please contact **Brian Oliva** at (510) 271-4320.

Sincerely,

Edgar B Howell III, Chief  
Hazardous Materials Division

c: files/inspector  
Alameda County District Attorney

O'MELVENY & MYERS

400 SOUTH HOPE STREET  
LOS ANGELES, CALIFORNIA 90071-2899  
TELEPHONE (213) 669-6000  
FACSIMILE (213) 669-6407

1999 AVENUE OF THE STARS  
LOS ANGELES, CALIFORNIA 90067-6035  
TELEPHONE (310) 553-6700  
FACSIMILE (310) 246-6779

610 NEWPORT CENTER DRIVE  
NEWPORT BEACH, CALIFORNIA 92660-6429  
TELEPHONE (714) 760-9600  
FACSIMILE (714) 669-6994

555 13TH STREET, N.W.  
WASHINGTON, D. C. 20004-1109  
TELEPHONE (202) 383-5300  
FACSIMILE (202) 383-5414

WRITER'S DIRECT DIAL NUMBER  
(415) 984-8798

EMBARCADERO CENTER WEST  
275 BATTERY STREET

SAN FRANCISCO, CALIFORNIA 94111-3305

TELEPHONE (415) 984-8700

FACSIMILE (415) 984-8701

May 24, 1994

RECEIVED  
MAY 26 1994

DISTRICT ATTORNEY  
ALAMEDA COUNTY  
CEFD

Gil Jensen, Esq.  
ALAMEDA COUNTY DISTRICT ATTORNEY  
Consumer and Environmental Affairs  
7677 Oakport Street, Suite 400  
Oakland, California 94621

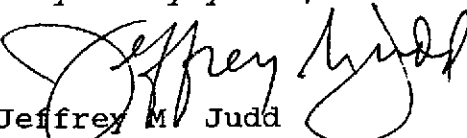
Re: 1400 Park Avenue, Emeryville

Dear Mr. Jensen:

Reference is made to the pre-referral fact-finding hearing on May 19, 1994 pertaining to the captioned property, among others. It is our understanding that you will keep the record open for thirty (30) days to allow the affected parties to provide written summaries of their understanding of pertinent facts. Please be advised that Michael Parker, William Lewerenz and Anthony Geisler, as tenants in common dba Emeryville Properties will provide you with such a written statement memorializing the comments made at the pre-referral hearing.

However, because I will be out of the country until June 20, 1994 (the thirtieth day after the pre-referral hearing), I respectfully request that you keep the record open until Friday, June 24, 1994, to allow Emeryville Properties to make a submission with participation of counsel. Please advise whether the foregoing request is acceptable. Thank you.

Very truly yours,

  
Jeffrey M. Judd  
for O'MELVENY & MYERS

cc: Douglas P. Ley, Esq.  
Mr. Michael Parker (by telecopy)  
Mr. William Lewerenz  
Mr. Anthony Geisler

CITICORP CENTER  
153 EAST 53RD STREET  
NEW YORK, NEW YORK 10022-4611  
TELEPHONE (212) 326-2000  
FACSIMILE (212) 326-2061

10 FINSBURY SQUARE  
LONDON EC2A 1LA  
TELEPHONE (071) 256-8451  
FACSIMILE (071) 638-8205

SANBANCHO KB-6 BUILDING  
6 SANBANCHO, CHIYODA-KU  
TOKYO 102  
TELEPHONE (03) 3239-2800  
FACSIMILE (03) 3239-2432

AVENUE LOUISE 108  
1050 BRUSSELS  
TELEPHONE (02) 647-06-50  
FACSIMILE (02) 646-47-29

OUR FILE NUMBER

650,627-011  
174885.V1



Kofi Bonner  
Director

CITY OF EMERYVILLE  
REDEVELOPMENT AGENCY

Department of Economic Development & Housing

2200 Powell Street, 12th Floor  
Suite 1200  
Emeryville, CA 94608-1806

Tel: (510) 596-4350  
Fax: (510) 658-8095



**Bern Baumgartner**  
Hazardous Waste Engineer

CH2M HILL  
6425 Christie Avenue, Suite 500  
Emeryville, California 94608  
415.652.2426  
For Direct Access  
415.652.8149 Extension: 2118  
415.652.0482 (FAX)

Engineers Planners Economists Scientists



**Steven P. Ronzone**  
Director - Property Management

Del Monte Foods  
One Market Plaza  
P.O. Box 193575  
San Francisco, CA 94119-3575

Telephone 415.442.4519  
Fax 415.442.4894



**Mark R. Rosenquist**  
Process Engineer

Del Monte Foods  
205 North Wiget Lane  
P.O. Box 9004  
Walnut Creek, CA 94598

Telephone 510.944.7335  
Fax 510.944.1524

**State of California**



California Environmental Protection Agency  
Department of Toxic Substances Control  
Technical Services Branch  
8950 Cal Center Drive, Building 3, Suite 101  
Mail: P.O. Box 806  
Sacramento, CA 95812-0806

**Sandra Jean Karinen**

Land Use and Air Assessments  
Unit *Environmental  
Science + Support*

(916) 255-2018  
FAX (916) 255-2096



Kofi Bonner  
Director

CITY OF EMERYVILLE  
REDEVELOPMENT AGENCY



**Alameda County  
Office of the Treasurer  
and Tax Collector**

Donald R. White  
Treasurer and Tax Collector  
1221 Oak Street  
Oakland, California 94612

Statement of Property Taxes 1993-94  
Alameda County Secured Roll  
Fiscal Year July 1, 1993 to June 30, 1994

**IMPORTANT MESSAGES**

\$10.00 SERVICE CHARGE ON ANY RETURNED CHECK.  
IF YOUR TAXES ARE PAID THROUGH ESCROW (SAVINGS & LOAN OR MORTGAGE COMPANY) IT IS YOUR RESPONSIBILITY TO FORWARD THIS BILL TO YOUR AGENT.

PLEASE SEE BACK FOR MORE INFORMATION

**PROPERTY OWNER INFO**

LOCATION OF PROPERTY:

1400 PARK AV  
ASSESSED TO ON MARCH 1, 1993

DELUCCI ERMA TR & GOODHUE E

DELUCCI ERMA TR & GOODHUE E

77 SELBORNE DR  
PIEDMONT CA 94611-3618

REFERENCE  
70-187-11

TRACER  
157454  
TAX RATE AREA  
21-004  
SPECIAL HANDLING

**TAX COMPUTATION WORKSHEET**

	Full Value	x Tax Rate	Tax Amount	Totals
LAND IMPROVEMENTS	98,771			
TOTAL REAL PROPERTY	31,879			
PERSONAL PROPERTY	130,650			
GROSS ASSESSMENT & TAX	130,650	1.1919%	,557.20	
HOMEDOWNERS EXEMPTION				
OTHER EXEMPTION				
NET ASSESSMENT & TAX	130,650	1.1919%	,557.20	1,557.20

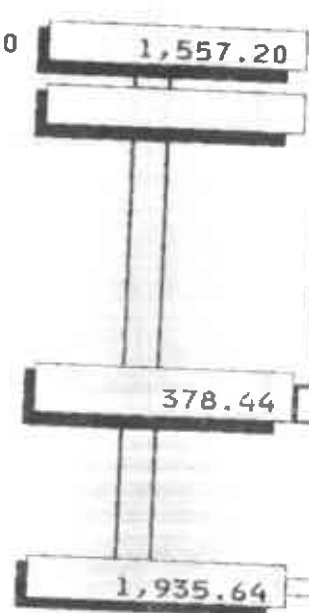
**FIXED CHARGES AND/OR SPECIAL ASSESSMENTS**

	Amount	Phone Number
CITY SEWER SERVICE	69.72	(510) 748-4592
CITY LANDSCAPE 4	174.38	(510) 748-4561
MOSQUITO ABATEMENT	1.54	(510) 783-7744
CSA VECTOR CONTROL	9.44	(510) 667-7557
EBMUD WETWEATHER	64.00	(510) 451-3440
EAST BAY TRAIL LID	5.44	(510) 635-0135
URBAN RUNOFF	53.92	(510) 748-4623

**TAX RATE BREAKDOWN**

Taxing Agency	Tax Rate	Tax Amount
COUNTYWIDE TAX	1.0000%	1,306.50
VOTER APPROVED DEBT SERVICE		
CITY OF ALAMEDA	.0175%	22.85
SCHOOL UNIFIED	.1397%	182.52
SCHOOL COMM COLL	.0038%	4.96
BAY AREA RAPID TRANSIT	.0240%	31.36
EAST BAY REGIONAL PARK	.0069%	9.01

TOTAL 232,327 1.1919% 1,557.20



TOTAL AMOUNT DUE 1,935.64

First Installment

Second Installment

1 967.82 2 967.82

To pay both installments at the same time, see information on back, paragraph 3(c).

(510) 272-3787 272-6564  
Homeowner Exemptions 272-3770  
Other Exempt Payments 272-6587  
272-6925

MEMORANDUM

DATE: May 17, 1994

TO: files

FROM: Brian P. Oliva

SUBJ: Chromex/Charles Loew, 1400 Park St., Emeryville

*For meeting held - 5-19-94*

The Chromex facility was formerly used as a hard chrome plating shop. In January 1991, all plating activities ceased at the shop. A consultant, (Excel Trans) was contracted to perform a closure of the site. This included removal and disposal of the various tanks and vaults that formerly contained plating products including, but not limited to, Chromic Acid. Demolition of a vault containing chromic acid took place in April of 1992. During removal, cracks were encountered in the floor of the vault, prompting a subsurface investigation (dated July 1992). This investigation was completed in November of 1992.

On October 29, 1993, one year after the completion of the report, following numerous requests that it be sent to this office, Alameda County Division of Hazardous Materials received the "Summary of Subsurface Investigations". The document indicated that Chromium was present in the former pit in amounts in excess of the TTLC, (1000 ppm). The Heavy metal, Chromium in concentrations as high as 1300 ppm (total Chromium) was encountered in an area below the former vault.

The recommendations from the consultant of record were to over-excavate and remove soil in the pit **immediately** so as to preclude migration into the ground water. Upon receipt of the results and recommendations, a letter was sent to Mr. Steve Slade, the manager of Chromex/Charles Loew. The letter requested a work plan for further investigation and remediation of the site. In light of the potential for groundwater contamination, immediate action on the part of Chromex was requested, with a 30 days response time for submission of a work plan. This letter was dated November 8, 1993.

When no work plan was forthcoming, I made a visit to Chromex and contacted Mr. Slade. I asked him why a work plan had not been submitted and he remarked that Charles Loew "had spent all the money they were going to spend on the site". I then relayed to him my intention of referring the "case to the District Attorney.

The time frame of this conversation was late 1993/early 1994. During this time, without the concurrence with this department, Chromex backfilled the area of the former vault. This was accomplished without the oversight of this office. Observation made at the site indicate that no cover other than surface soil exists, leaving a pathway for fugitive dust containing toxic levels of Chromium to migrate off site.

I inherited this case from Susan Hugo whose involvement stemmed from the removal of a vault that served as secondary containment for Chromium Plating tanks. Apparently there was contamination encountered upon removal of the vault. Notwithstanding these actions, a work plan was submitted to this office that entailed sampling of the area through the use of "borings". Groundwater was sampled but no permanent monitoring wells were constructed.

The results of the borings indicated contamination in the soil as high as 1300 ppm of Chromium. VOCs were also detected in the water sample. The consultant indicated that the chromium contamination in the vault area should be addressed **immediately** so as to preclude impact to groundwater. No action was forthcoming by the operators.

It should be noted that since the initial investigation this office has had difficulty in 1) obtaining results from the operators, 2) getting cooperation from the operators, 3) being advised by the operators of actions taken at the site.

The operators state that they are not going to spend any more time/money remediating the site. They have covered up the formerly exposed pit area leaving in-place, the contaminated soils. The area is covered with soil but this does not preclude the potential for fugitive dust laden with CH<sub>6</sub> from being dispersed.

Question: Is this not a potential threat to Groundwater?

Question: Is the CH<sub>6</sub> present in the soil/fugitive dust not a situation in need of immediate action (the consultant thought so)?

Question: Does not the recalcitrance of the operator indicate that they will not act unless forced by legal action?

Alameda County Health Care Services Agency, Department of  
Environmental Health, Hazardous Materials Division

In Re The Property Known As :

Chromex Inc. )  
1400 Park Ave. )  
Emeryville, CA 94608 )  
\_\_\_\_\_ )

Proof of Service of  
Notice of  
Pre-Enforcement  
Review Panel

I Susan L. Hugo, do hereby certify  
that I served Steven Slade, Chief Executive Officer  
with a copy of the attached Notice of Pre-Enforcement Review  
Panel on May 2, 1994 by certified  
mailer # P 386 338 314

Dated: 5/4/94

Susan L. Hugo  
(signature)



P 386 338 314



### Receipt for Certified Mail

No Insurance Coverage Provided  
Do not use for International Mail  
(See Reverse)

PS Form 3800, June 1991

Sent to	
Steven Slade	
Sent by	
Charles Lowe Inc.	
1401 Park Avenue	
P.O., State and ZIP Code	
Emeryville, CA 94608	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

**Instructions:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.  
Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1.  Show to whom delivered, date, and addressee's address. (Extra charge)  
2.  Restricted Delivery (Extra charge)

3. Article Addressed to: Charles Lowe Inc. c/o Steven Slade 1400 Park Ave. Emeryville, CA 94608	4. Article Number P 386 338 314
	Type of Service: <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Certified <input type="checkbox"/> Express Mail <input type="checkbox"/> Insured <input type="checkbox"/> COD <input type="checkbox"/> Return Receipt for Merchandise
5. Signature - Addressee <i>Steven Slade</i>	Always obtain signature of addressee or agent and <b>DATE DELIVERED.</b>
6. Signature - Agent X	6. Addressee's Address (ONLY if requested and fee paid)
7. Date of Delivery	

PS Form 3811, Mar. 1988 \* U.S.G.P.O. 1988-212-865 DOMESTIC RETURN RECEIPT



Alameda County Health Care Services Agency, Department of  
Environmental Health, Hazardous Materials Division

In Re The Property Known As :

Chromex, Inc. )  
1400 Park Ave. )  
Emeryville, CA 94608 )

---

Proof of Service of  
Notice of  
Pre-Enforcement  
Review Panel

I Susan L. Hugo, do hereby certify  
that I served Mark Zemelman, Esq.  
with a copy of the attached Notice of Pre-Enforcement Review  
Panel on May 2, 1994 by certified  
mailer # P 386 338 289

Dated: 5/2/94

Susan L. Hugo  
(signature)

P 386 338 289



**Receipt for Certified Mail**

No Insurance Coverage Provided  
Do not use for International Mail  
(See Reverse)

PS Form 3800, June 1991

Sent to Mark Zemelman, Esq.	
Street 1 Kaiser Plaza, 21st Floor	
P.O., State and ZIP Code Oakland, CA 94612	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

**Instructions:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.  
Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1.  Show to whom delivered, date, and addressee's address. (Extra charge)      2.  Restricted Delivery (Extra charge)

3. Article Addressed to:  Mark Zemelman, Esq. 1 Kaiser Plaza, 21st Floor Oakland, CA 94612	4. Article Number P 386 338 289
	Type of Service: <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise
Always obtain signature of addressee or agent and <b>DATE DELIVERED.</b>	
5. Signature — Address X	8. Addressee's Address (ONLY if requested and fee paid)
6. Signature — Agent X <i>Robert J. Louie</i>	
7. Date of Delivery MAY 05 1994	

Alameda County Health Care Services Agency, Department of  
Environmental Health, Hazardous Materials Division

In Re The Property Known As :

Chromex Inc. )  
1400 Park Ave. )  
Emeryville, CA 94608 )

Proof of Service of  
Notice of  
Pre-Enforcement  
Review Panel

I Susan L. Hugo, do hereby certify  
that I served Erma DeLucchi / E. Goodhue, trustees  
with a copy of the attached **Notice of Pre-Enforcement Review**  
**Panel** on May 2, 1994 by certified  
mailer # P 386 338 312

Dated: 5/2/94

Susan L. Hugo  
(signature)

Alameda County Health Care Services Agency, Department of  
Environmental Health, Hazardous Materials Division

In Re The Property Known As :

Chromex Inc. )  
1400 Park Ave. )  
Emeryville, CA 94608 )

Proof of Service of  
Notice of  
Pre-Enforcement  
Review Panel

I Susan L. Hugo, do hereby certify  
that I served Chromex Inc.  
with a copy of the attached Notice of Pre-Enforcement Review  
Panel on May 2, 1994 by certified  
mailer # P 386 338 300

Dated: 5/2/94

Susan L. Hugo  
(signature)

P 386 338 300



### Receipt for Certified Mail

No Insurance Coverage Provided  
Do not use for International Mail  
(See Reverse)

PS Form 3800, June 1991

Sent to <b>Chromex Inc.</b>	
Street and No. <b>1401 Park Ave</b>	
P.O., State and ZIP Code <b>Emeryville, CA 94608</b>	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

**NOTE:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.  
Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this from being returned to you. The return receipt fee will provide you the name of the person delivered and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1.  Show to whom delivered, date, and addressee's address. (Extra charge)  
2.  Restricted Delivery (Extra charge)

3. Article Addressed to:  <b>Chromex Inc. 1401 Park Ave. Emeryville, CA 94608</b>	4. Article Number <b>P 386 338 300</b>  Type of Service: <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise
5. Signature of Addressee <b>X</b> <i>[Signature]</i>	Always obtain signature of addressee <b>DATE DELIVERED.</b> Addressed to Address (ONLY if requested and fee paid)
6. Signature - Agent <b>X</b>	
7. Date of Delivery	

20  
208T

Alameda County Health Care Services Agency, Department of  
Environmental Health, Hazardous Materials Division

In Re The Property Known As :	)	Notice of
	)	Pre-Referral
Chromex Inc,	)	and Pre Enforcement
1400 Park Ave	)	Review Panel
Emeryville, CA 94608	)	
	)	
	)	
	)	

---

Notice is hereby given that upon the motion of the County of Alameda, the City of Emeryville, and the San Francisco Bay Regional Water Quality Control Board a **Review Panel** will convene on **May 19, 1994** at **9am** in the offices of the Alameda County Hazardous Materials Division located at 80 Swan Way, Room 200, Oakland, CA 94621. This **Review Panel** will convene as a fact finding body for the purpose of determining responsible parties as well as appropriate closure, site assessment, clean-up and mitigation of contamination at the above location, so as to facilitate a determination by said County and City whether there is probable cause to believe that said property is a hazardous waste or border zone property, and whether application pursuant to Section 25221(c) of the California Health and Safety Code should be made together with a legal request for technical information pursuant to Section 13267 (b) of the California Water Code.

The County, City and San Francisco Bay Regional Water Quality Control Board have named and served notice of this **Review Panel** on the following persons or entities as having proposed responsibility for current ownership and operation, proposed future ownership and operation, contemporaneous ownership and operation, closure, site assessment, clean-up and mitigation of contamination at the above location and at adjoining, contiguous and proximate locations, and by this notice all parties named herein are informed of the right to appear and show cause, if any they have, for the exclusion or inclusion of any of the parties,

Alameda County Health Care Services Agency, Department of  
Environmental Health, Hazardous Materials Division

In Re The Property Known As :

Chromex, Inc. )  
1400 Park Ave. )  
Emeryville, CA 94608 )

Proof of Service of  
Notice of  
Pre-Enforcement  
Review Panel

I Susan L. Hugo, do hereby certify  
that I served Del Monte Foods Inc.  
with a copy of the attached Notice of Pre-Enforcement Review  
Panel on May 2, 1994 by certified  
mailer # P 386 338 290

Dated: 5/2/94

Susan L. Hugo  
(signature)



P 386 338 290



### Receipt for Certified Mail

No Insurance Coverage Provided  
Do not use for International Mail  
(See Reverse)

Sent to	
Del Monte Foods Inc.	
One Market Plaza	
P.O. Box 193575	
P.O., State and ZIP Code	
San Francisco, CA 94119-3575	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

PS Form 3800, June 1991

**Important:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.  
Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this receipt from being returned to you. The return receipt fee will provide you the name of the person delivered and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1.  Show to whom delivered, date, and addressee's address.    2.  Restricted Delivery (Extra charge)

Article Addressed to:  Del Monte Foods Inc.  One Market Plaza P.O. Box 193575 San Francisco, CA 94119-3575	4. Article Number P 386 338 290
	Type of Service: <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise
5. Signature - Address X	Always obtain signature of addressee or agent and <b>DATE DELIVERED.</b>
6. Signature - Agent X <i>J. Wilson M.D.S. S.F.</i>	8. Addressee's Address (ONLY if requested and fee paid)
7. Date of Delivery MAY 06 1994	

Alameda County Health Care Services Agency, Department of  
Environmental Health, Hazardous Materials Division

In Re The Property Known As :

Chromex, Inc. )  
1400 Park Ave. )  
Emeryville, CA 94608 )

Proof of Service of  
Notice of  
Pre-Enforcement  
Review Panel

I Susan L. Hugo, do hereby certify  
that I served Erma DeLucchi / E. Goodhue, trustees  
with a copy of the attached Notice of Pre-Enforcement Review  
Panel on May 2, 1994 by certified  
mailer # P 386 338 312

Dated: 5/2/94

Susan L. Hugo  
(signature)

P 386 338 312



**Receipt for Certified Mail**

No Insurance Coverage Provided  
Do not use for International Mail  
(See Reverse)

PS Form 3800, June 1991

Sent to Erma DeLucchi / E. Goodhue	
Street and No. 77 Shelborne Dr.	
P.O., State and ZIP Code Piedmont, CA 94611	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

**SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.  
Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1.  Show to whom delivered, date, and addressee's address. (Extra charge)  
2.  Restricted Delivery (Extra charge)

3. Article Addressed to:  Erma DeLucchi / E. Goodhue 77 Shelborne Dr. Piedmont, CA 94611	4. Article Number P 386 338 312  Type of Service: <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise
5. Signature -- Address X <i>[Signature]</i>	8. Addressee's Address (ONLY if requested and fee paid)
6. Signature -- Agent X <i>[Signature]</i>	
7. Date of Delivery <i>5/5/94</i>	

Always obtain signature of addressee or agent and **DATE DELIVERED.**

Alameda County Health Care Services Agency, Department of  
Environmental Health, Hazardous Materials Division

In Re The Property Known As :

Chromex, Inc. )  
1400 Park Ave. )  
Emeryville, CA 94608 )

Proof of Service of  
Notice of  
Pre-Enforcement  
Review Panel

I Susan L. Hugo, do hereby certify  
that I served Michael Parker , general partner  
with a copy of the attached Notice of Pre-Enforcement Review  
Panel on May 2, 1994 by certified  
mailer # P 386 338 313

Dated: 5/2/94

Susan L. Hugo  
(signature)

P 386 338 313



**Receipt for Certified Mail**

No Insurance Coverage Provided  
Do not use for International Mail  
(See Reverse)

PS Form 3800, June 1991

Send to <b>Michael Parker</b>	
Street and No. <b>1700 La Vereda Road</b>	
P.O., State and ZIP Code <b>Berkeley, CA 94709</b>	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

**Caution: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.**  
Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this item from being returned to you. The return receipt fee will provide you the name of the person delivered and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

Show to whom delivered, date, and addressee's address.      2.  Restricted Delivery (Extra charge)

<p>3. Article Addressed to: <b>Lewerenz Co.</b> <b>c/o Michael Parker</b> <b>1700 La Vereda Road</b> <b>Berkeley, CA 94709</b></p>	<p>4. Article Number <b>P 386 338 313</b></p> <p>Type of Service:  <input type="checkbox"/> Registered      <input type="checkbox"/> Insured  <input checked="" type="checkbox"/> Certified      <input type="checkbox"/> COD  <input type="checkbox"/> Express Mail      <input type="checkbox"/> Return Receipt for Merchandise</p> <p>Always obtain signature of addressee or agent and <b>DATE DELIVERED</b>.</p>
<p>5. Signature - Addressee <i>[Signature]</i></p> <p>6. Signature - Agent <i>[Signature]</i></p>	<p>8. Addressee's Address (ONLY if requested and fee paid)</p>
<p>7. Date of Delivery <b>5-6-94</b></p>	

Michael L. Parker

1700 LA VEREDA ROAD  
BERKELEY, CA 94709

ALCO  
HAZMAT  
95 APR 22 11:10:49

TELEPHONE: (510) 548-7994  
FAX: (510) 548-7996

April 21, 1994

FILE

Mr. Brian P. Oliva, REHS  
Alameda County Health Care Services Agency  
Division of Hazardous Materials  
Department of Environmental Health  
80 Swan Way  
Oakland, CA 94621

Re: 1400 Park Street, Emeryville -- Documents From File

Dear Mr. Oliva:

Thank you for your cooperation in copying and making available to me the documents from your file on the above property.

In my haste, I neglected to check the pile of documents until later. I found that the bottom portion was either multiple copies of a blank page, or the machine's failure to copy a number of pages ( I assume it went through an automatic stack loader.)

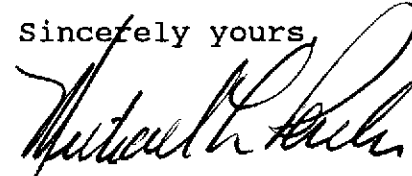
In any event, I am returning those pages to you simply in the hope that you can ascertain whether I am missing any documents. It appears that I now have documents representing:

- > Your file memos + notes
- > 11-4-92 Summary & Proposal (Excel/Trans)
- > 9-13-92 Final Closure report
- > 7-24-92 Workplan for initial subsurface investigation

Brian Oliva -2-  
April 21, 1994

Thanks for your cooperation in this matter. We will be in touch as soon as we have had the opportunity to review the documents, and to obtain some preliminary advice on how to proceed.

Sincerely yours,



MICHAEL L. PARKER

MEMORANDUM

DATE: April 6, 1994

TO: files

FROM: Brian P. Oliva

SUBJ: Chromex/Charles Loew, 1400 Park St., Emeryville

---

I inherited this case from Susan Hugo whose involvement stemmed from the removal of a vault that served as secondary containment for Chromium Plating tanks. Apparently there was contamination encountered upon removal of the vault. Notwithstanding these actions, a workplan was submitted to this office that entailed sampling of the area through the use of "borings". Groundwater was sampled but no permanent monitoring wells were constructed.

The results of the borings indicated contamination in the soil as high as 1300 ppm of Chromium. VOCs were also detected in the water sample. The consultant indicated that the chromium contamination in the vault area should be addressed **immediately** so as to preclude impact to groundwater. No action was forthcoming by the operators.

It should be noted that since the initial investigation this office has had difficulty in 1) obtaining results from the operators, 2) getting cooperation from the operators, 3) being advised by the operators of actions taken at the site.

The operators state that they are not going to spend any more time/money remediating the site. They have covered up the formerly exposed pit area leaving in-place, the contaminated soils. The area is covered with soil but this does not preclude the potential for fugitive dust laden with CH<sub>6</sub> from being dispersed.

Question: Is this not a potential threat to Groundwater?

Question: Is the CH<sub>6</sub> present in the soil/fugitive dust not a situation in need of immediate action (the consultant thought so)?

Question: Does not the recalcitrance of the operator indicate that they will not act unless forced by legal action?



MEMORANDUM

DATE: April 6, 1994

TO: files

FROM: Brian P. Oliva

SUBJ: Chromex/Charles Loew, 1400 Park St., Emeryville

The Chromex facility was formerly used as a hard chrome plating shop. In January 1991, all plating activities ceased at the shop. A consultant, (Excel Trans) was contracted to perform a closure of the site. This included removal and disposal of the various tanks and vaults that formerly contained plating products including, but not limited to, Chromic Acid. Demolition of a vault containing chromic acid took place in April of 1992. During removal, cracks were encountered in the floor of the vault, prompting a subsurface investigation (dated July 1992). This investigation was completed in November of 1992.

On October 29, 1993, one year after the completion of the report, following numerous requests that it be sent to this office, Alameda County Division of Hazardous Materials received the "Summary of Subsurface Investigations". The document indicated that Chromium was present in the former pit in amounts in excess of the TTLC, (1000 ppm). The Heavy metal, Chromium in concentrations as high as 1300 ppm (total Chromium) was encountered in an area below the former vault.

The recommendations from the consultant of record were to over-excavate and remove soil in the pit **immediately** so as to preclude migration into the ground water. Upon receipt of the results and recommendations, a letter was sent to Mr. Steve Slade, the manager of Chromex/Charles Loew. The letter requested a work plan for further investigation and remediation of the site. In light of the potential for groundwater contamination, immediate action on the part of Chromex was requested, with a 30 days response time for submission of a work plan. This letter was dated November 8, 1993.

When no work plan was forthcoming, I made a visit to Chromex and contacted Mr. Slade. I asked him why a work plan had not been submitted and he remarked that Charles Loew "had spent all the money they were going to spend on the site". I then relayed to him my intention of referring the "case to the District Attorney.

The time frame of this conversation was late 1993/early 1994. During this time, without the concurrence with this department, Chromex backfilled the area of the former vault. This was accomplished without the oversight of this office. Observation made at the site indicate that no cover other than surface soil exists, leaving a pathway for fugitive dust containing toxic levels of Chromium to migrate off site.

I inherited this case from Susan Hugo whose involvement stemmed from the removal of a vault that served as secondary containment for Chromium Plating tanks. Apparently there was contamination encountered upon removal of the vault. Notwithstanding these actions, a work plan was submitted to this office that entailed sampling of the area through the use of "borings". Groundwater was sampled but no permanent monitoring wells were constructed.

The results of the borings indicated contamination in the soil as high as 1300 ppm of Chromium. VOCs were also detected in the water sample. The consultant indicated that the chromium contamination in the vault area should be addressed **immediately** so as to preclude impact to groundwater. No action was forthcoming by the operators.

It should be noted that since the initial investigation this office has had difficulty in 1) obtaining results from the operators, 2) getting cooperation from the operators, 3) being advised by the operators of actions taken at the site.

The operators state that they are not going to spend any more time/money remediating the site. They have covered up the formerly exposed pit area leaving in-place, the contaminated soils. The area is covered with soil but this does not preclude the potential for fugitive dust laden with CH<sub>6</sub> from being dispersed.

Question: Is this not a potential threat to Groundwater?

Question: Is the CH<sub>6</sub> present in the soil/fugitive dust not a situation in need of immediate action (the consultant thought so)?

Question: Does not the recalcitrance of the operator indicate that they will not act unless forced by legal action?

white -env.health  
 yellow -facility  
 pink -files

ALAMEDA COUNTY, DEPARTMENT OF ENVIRONMENTAL HEALTH

80 Swan Way, #200  
 Oakland, CA 94621  
 (415) 271-4320

Hazardous Materials Inspection Form

II, III

Site ID # \_\_\_\_\_ Site Name Chronex Today's Date 3/8/94

II.A BUSINESS PLANS (Title 19)

- \_\_\_ 1. Immediate Reporting 2703
- \_\_\_ 2. Bus. Plan Stds. 25503(b)
- \_\_\_ 3. RR Cars > 30 days 25503.7
- \_\_\_ 4. Inventory Information 25504(a)
- \_\_\_ 5. Inventory Complete 2730
- \_\_\_ 6. Emergency Response 25504(b)
- \_\_\_ 7. Training 25504(c)
- \_\_\_ 8. Deficiency 25505(a)
- \_\_\_ 9. Modification 25505(b)

Site Address 1400 Park

City Emeryville Zip 94 Phone \_\_\_\_\_

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

Inspection Categories:

- \_\_\_ I. Haz. Mat/Waste GENERATOR/TRANSPORTER
- II. Business Plans, Acute Hazardous Materials
- \_\_\_ III. Underground Tanks

500 per

II.B ACUTELY HAZ MATLS

- \_\_\_ 10. Registration Form Filed 25533(a)
- \_\_\_ 11. Form Complete 25533(b)
- \_\_\_ 12. RMPP Contents 25534(c)
- \_\_\_ 13. Implement Sch. Req'd? (Y/N) \_\_\_\_\_
- \_\_\_ 14. OffSite Conseq. Assess. 25524(c)
- \_\_\_ 15. Probable Risk Assessment 25534(d)
- \_\_\_ 16. Persons Responsible 25534(g)
- \_\_\_ 17. Certification 25534(i)
- \_\_\_ 18. Exemption Request? (Y/N) 25536(b)
- \_\_\_ 19. Trade Secret Requested? 25538

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

III. UNDERGROUND TANKS (Title 23)

- General
- \_\_\_ 1. Permit Application 25284 (H&S)
  - \_\_\_ 2. Pipeline Leak Detection 25292 (H&S)
  - \_\_\_ 3. Records Maintenance 2712
  - \_\_\_ 4. Release Report 2651
  - \_\_\_ 5. Closure Plans 2670

- Monitoring for Existing Tanks
- \_\_\_ 6. Method
    - 1) Monthly Test
    - 2) Daily Vadose Semi-annual groundwater One time soils
    - 3) Daily Vadose One time soils Annual tank test
    - 4) Monthly Gndwater One time soils
    - 5) Daily Inventory Annual tank testing Cont pipe leak det Vadose/gndwater mon.
    - 6) Daily Inventory Annual tank testing Cont pipe leak det
    - 7) Weekly Tank Gauge Annual tank test
    - 8) Annual Tank Testing Daily Inventory
    - 9) Other \_\_\_\_\_

- \_\_\_ 7. Prets Tank Test 2643  
Date: \_\_\_\_\_
- \_\_\_ 8. Inventory Rec. 2644
- \_\_\_ 9. Soil Testing 2646
- \_\_\_ 10. Ground Water 2647

- New Tanks
- \_\_\_ 11. Monitor Plan 2632
  - \_\_\_ 12. Access. Secure 2634
  - \_\_\_ 13. Plans Submit 2711  
Date: \_\_\_\_\_
  - \_\_\_ 14. As Built 2635  
Date: \_\_\_\_\_

Rev 6/88

Comments:  
 On site regarding investigation of SLIC site. The site is a facility that formerly had vaulted below-ground tanks that contained heavy metals specifically (Ch) Hexavalent Chromium. I spoke with Steve Slack - facility manager concerning the extent/future of cleanup. I relayed to him that we were working in contact with the County District Attorney - and would be in touch with him at a later time. There has been no work done in ~2 years. The Mr Slack said that the company had moved the stockpiled SLD and covered them last week and "filled in" the contaminated Ret - this had all been witnessed the supervisor at his office - I will also contact RWQCB regarding in action/paction on the part of the operators

II, III

Contact: \_\_\_\_\_

Title: \_\_\_\_\_

Signature: \_\_\_\_\_

Inspector: Burt P. Abou

Signature: \_\_\_\_\_

Alameda County Department of Environmental Health  
Hazardous Materials Division

80 Swan Way, Rm. 200, Oakland, CA 94621  
Ph: 510-271-4320

FILE

BILLING FOR SERVICES

STID# 319

A. Site Name Chromex - Charles Low Phone \_\_\_\_\_  
Site Address (if no address, description of area) 1400 Park Emeryville 94608  
Number Street City Zip  
Prior Business Name Chromex Prior Owner's Name \_\_\_\_\_

B. Service Requestor DAVID BRANDES Environ 655-7400  
Contact Person Company Name Phone

Billing Address MARKET PLACE TOWER 5820 - Shellmound St 94608  
Number Street City Zip  
Suite 700

Category of Service		#Hours	x \$	/Hr	\$
<input checked="" type="checkbox"/>	Site Search	1	x \$	75	\$ 75.00
<input checked="" type="checkbox"/>	File Search		x \$	/Copy	\$
<input type="checkbox"/>	Other		x \$		\$
TOTAL CHARGE:					\$ 75.00

REMARKS: \_\_\_\_\_

ENVIRON

David Brandes, M.S.

Marketplace Tower • 5820 Shellmound Street  
Suite 700 • Emeryville, California 94608 • USA  
Tel: (510) 655-7400 • Fax: (510) 655-9517

You will receive an invoice in accordance with Article 11 of Chapter 6, Title 3 of the Ordinance Code of Alameda County

Service Requestor DAVID BRANDES David Brandes Date 2/28/94  
printed name signature  
HazMat Specialist BRIAN P. OLIVA Brian P. Oliva Date 2-28-94  
printed name signature

November 8, 1993

Steve Slade  
c/o Chromex/Charles Lowe  
1400 Park Ave.,  
Emeryville, CA 94608

Subject: Chromex Co., 1400 Park Ave., Emeryville, CA 94608

Dear Mr. Slade:

This office has received and reviewed the "Summary of Subsurface Investigation and Immediate Mitigation Proposal", dated November 4, 1992, submitted by Excel Trans Inc. (Erickson), your consultant of record. Thank you for sending the report of findings to this office.

Review of the findings indicate the presence of Chromium metal in the former vault at the site in amounts in excess of those allowed by the State Department of Health Services "maximum contamination Levels (MCLs)". These amounts are as high as 1300 parts per million (ppm). This represents a potential for contamination of the groundwater in the area of the vault.

In light of the information supplied, and the known potential for discharge of the chromium metal into the groundwater, it will be necessary for you to take measures that will remediate the existing chromium contamination.

Please submit a workplan that will address the following concerns:

- 1) The remediation of the soil so as to prevent groundwater contamination.
- 2) Characterize the known chromium as to its actual chemical form, that is divalent, trivalent, or hexavalent (a known carcinogen).
- 3) The potential impact to groundwater and possibility of groundwater contamination in light of the fact that there is a one year gap in the time the report was requested and the report was submitted.
- 4) A time line to completion of the remediation of the site.

page 2 of 2

Please be advised that this office concurs with the findings and recommendations of the consultant concerning the potential migration of contamination found in the vault. This would entail **immediate** management of the chromium in the soil. Therefore, a workplan must be submitted within the next thirty (30) days that will adequately encompass the points previously indicated in this letter.

As you are aware, the oversight of this particular site is being accomplished jointly by the State Regional Water Quality Control Board (SRWQCB) as well as the Alameda County Division of Hazardous Materials. A copy of the proposed workplan required should therefore, be submitted to Mr. Rich Hiett at the San Francisco Regional Water Quality Control Board.

It will also be necessary for your company to submit a deposit of \$1000.00, made payable to the County of Alameda, for continued oversight of the case. This deposit is authorized by the Section 3-141.6 of the Ordinance Code of Alameda and is used to cover the expenses incurred by County personnel in their oversight duties.

If you have any questions, please call this office. The number is (510) 271-4320.

Sincerely,

Brian P. Oliva, REHS, REA  
Hazardous Materials Specialist

cc: Rich Hiett, SRBRWQCB  
Mary Boyd, Erickson, Inc.

white -env.health  
 yellow -facility  
 pink -files

ALAMEDA COUNTY, DEPARTMENT OF ENVIRONMENTAL HEALTH  
 Hazardous Materials Inspection Form

80 Swan Way, #200  
 Oakland, CA 94621  
 (415) 271-4320

II, III

Site ID # 319 Site Name Chromey Today's Date 10/26/93

- II.A BUSINESS PLANS (Title 19)
- 1. Immediate Reporting 2703
  - 2. Bus. Plan Stds. 25503(b)
  - 3. RR Cars > 30 days 25503.7
  - 4. Inventory Information 25504(a)
  - 5. Inventory Complete 2730
  - 6. Emergency Response 25504(b)
  - 7. Training 25504(c)
  - 8. Deficiency 25505(a)
  - 9. Modification 25505(b)

Site Address 1400 Park  
 City Ormeville Zip 94608 Phone \_\_\_\_\_  
 MAX AMT stored > 500 lbs, 55 gal., 200 cft.?

- II.B ACUTELY HAZ. MATLS
- 10. Registration Form Filed 25533(a)
  - 11. Form Complete 25533(b)
  - 12. RMPP Contents 25534(c)
  - 13. Implement Sch. Req'd? (Y/N) \_\_\_\_\_
  - 14. OffSite Conseq. Assess. 25524(c)
  - 15. Probable Risk Assessment 25534(d)
  - 16. Persons Responsible 25534(g)
  - 17. Certification 25534(i)
  - 18. Exemption Request? (Y/N) 25536(b)
  - 19. Trade Secret Requested? 25538

- Inspection Categories:
- I. Haz. Mat/Waste GENERATOR/TRANSPORTER
  - II. Business Plans, Acute Hazardous Materials
  - III. Underground Tanks Slack

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

III. UNDERGROUND TANKS (Title 23)

- |  |   |
|--|---|
| General  | <input type="checkbox"/> 1. Permit Application 25284 (H&S)                              |
|  | <input type="checkbox"/> 2. Pipeline Leak Detection 25292 (H&S)                         |
|  | <input type="checkbox"/> 3. Records Maintenance 2712                                    |
|  | <input type="checkbox"/> 4. Release Report 2651   |
|  | <input type="checkbox"/> 5. Closure Plans 2670  |
| Monitoring for Existing Tanks                    | <input type="checkbox"/> 6. Method  |
|  | 1) Monthly Test   |
|  | 2) Daily Vadose<br>Semi-annual groundwater<br>One time soils                            |
|  | 3) Daily Vadose<br>One time soils<br>Annual tank test                                   |
|  | 4) Monthly Groundwater<br>One time soils  |
|  | 5) Daily Inventory<br>Annual tank testing<br>Cont pipe leak det<br>Vadose/gndwater mon. |
|  | 6) Daily Inventory<br>Annual tank testing<br>Cont pipe leak det                         |
|  | 7) Weekly Tank Gauge<br>Annual tank testing   |
|  | 8) Annual Tank Testing<br>Daily Inventory   |
| 9) Other _____                                   |   |
| New Tanks  | <input type="checkbox"/> 7. Precls Tank Test 2643                                       |
|  | Date: _____   |
|  | <input type="checkbox"/> 8. Inventory Rec. 2644   |
|  | <input type="checkbox"/> 9. Soil Testing 2646   |
| <input type="checkbox"/> 10. Ground Water. 2647  |   |
| <input type="checkbox"/> 11. Monitor Plan 2632   |   |
| <input type="checkbox"/> 12. Access. Secure 2634 |   |
| <input type="checkbox"/> 13. Plans Submit 2711   |   |
| Date: _____                                      |   |
| <input type="checkbox"/> 14. As Built 2635       |   |
| Date: _____                                      |   |

Comments:  
 On site for inspection/investigation of facility.  
 I have previously inspected requested results from soil borings to be sent to this office from the manager Steve Slack - I spoke with my Slack who gave me a report for final closure dated 9/13/92. This report does not reflect the investigation that took place on 10/2/93 - I reported the report concerning the lab results from that day to the submitted immediately to this office.  
 I will send a complimentary letter to the facility if all laboratory results are forthcoming.

Rev 6/88

II, III

Contact: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Signature: \_\_\_\_\_

Inspector: Burd P. Ol  
 Signature: \_\_\_\_\_

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, Assistant Agency Director

DEPARTMENT OF ENVIRONMENTAL HEALTH  
Hazardous Materials Division  
80 Swan Way, Rm. 200  
Oakland, CA 94621  
(510) 271-4320

July 21, 1993

Steve Slade  
Charles Lowe Co.  
1400 Park Ave.,  
Emeryville, CA 94608

Subject: Chromex/Charles Lowe, 1400 Park Ave., Emeryville CA

Dear Mr. Slade:

This office has been overseeing a subsurface investigation at the aforementioned site. On October 1, 1993, observations were made concerning the potential contamination of hexavalent chrome in the soil stemming from surface and subsurface plating tanks formerly used at the facility.

As of the above date, there has been no laboratory analysis received by this office concerning the potentially hazardous discharges into the soil. Please direct Excel Trans, your consultant of record, to submit the laboratory analysis from the borings obtained on October 1, 1993, as well as a completed report of findings reflecting the scope of work as outlined in the "Workplan For Initial Subsurface investigation", dated July 24, 1992.

These findings should be submitted to this office by July 28, 1993.

Please call this office if you have any questions. The number is (510) 271-4320.

Sincerely,

A handwritten signature in cursive script that reads "Brian P. Oliva".

Brian P. Oliva, REHS, REA  
Hazardous Materials Specialist

cc: Mary Boyd, Excel Trans Inc.  
Rich Hiatt, SFBRWQCB



ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, Assistant Agency Director

October 21, 1992

Steve Slade  
Charles Lowe Co.  
1400 Park Ave.,  
Emeryville, CA 94608

DEPARTMENT OF ENVIRONMENTAL HEALTH  
Hazardous Materials Division  
80 Swan Way, Rm. 200  
Oakland, CA 94621  
(510) 271-4320

Subject: Initial Subsurface Investigation of Chromex Site, 1400  
Park Ave., Emeryville, CA

Dear Mr. Slade,

This office is currently the lead agency involved in the remediation of sub-surface contamination at the above referenced site. In light of the elevated levels of contamination, consisting of heavy metals, specifically, Chromium in the soil samples analyzed, I conferred with Rich Hiett from the San Francisco Bay Regional Water Quality Control Board (SFBRWQCB), concerning the possibility of joint oversight.

Due to the toxic nature of the contamination, Alameda County Division of Hazardous Materials, and the SFBRWQCB will be jointly overseeing the site investigation. As there are other sites on Park Street that are currently being investigated for Chromium contamination, this joint effort is warranted. In the future I will schedule a meeting with all concerned parties to further address the site.

Copies of all correspondence should be submitted to:

Rich Hiett  
State Water Resources Control Engineer,  
SFBRWQCB  
2101 Webster Street, Suite 500  
Oakland, CA 94612

If you have any questions, please call this office at (510) 271-4320.

Sincerely,

Brian P. Oliva, REHS  
Hazardous Materials Specialist

cc: Mary Boyd, Excel Trans, Inc.  
Rich Hiett, SWQCB

white -env.health  
 yellow -facility  
 pink -files

ALAMEDA COUNTY, DEPARTMENT OF ENVIRONMENTAL HEALTH  
 Hazardous Materials Inspection Form

80 Swan Way, #200  
 Oakland, CA 94621  
 (415) 271-4320

II, III

Site ID # 319 Site Name Chromex Today's Date 10/1/92

II.A BUSINESS PLANS (Title 19)

- 1. Immediate Reporting 2703
- 2. Bus. Plan Sts. 25503(b)
- 3. RR Cars > 30 days 25503.7
- 4. Inventory Information 25504(a)
- 5. Inventory Complete 2730
- 6. Emergency Response 25504(b)
- 7. Training 25504(c)
- 8. Deficiency 25505(a)
- 9. Modification 25505(b)

Site Address 1400 Park Ave  
 City Emeryville Zip 94608 Phone 652-5900  
~~652-8226~~

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

Inspection Categories:

- I. Haz. Mat/Waste GENERATOR/TRANSPORTER
- II. Business Plans, Acute Hazardous Materials
- III. Underground Tanks site mitigation on site 732

*Wed Tech Outlay (Jan 5000)*

II.B ACUTELY HAZ. MATLS

- 10. Registration Form Filed 25533(a)
- 11. Form Complete 25533(b)
- 12. RMPP Contents 25534(c)
- 13. Implement Sch. Req'd? (Y/N)
- 14. OffSite Conseq. Assess. 25524(c)
- 15. Probable Risk Assessment 25534(d)
- 16. Persons Responsible 25534(g)
- 17. Certification 25534(f)
- 18. Exemption Request? (Y/N) 25536(b)
- 19. Trade Secret Requested? 25538

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

III. UNDERGROUND TANKS (Title 23)

- General
- 1. Permit Application 25284 (H&S)
  - 2. Pipeline Leak Detection 25292 (H&S)
  - 3. Records Maintenance 2712
  - 4. Release Report 2651
  - 5. Closure Plans 2670

Comments:  
On site for borings for investigation and profiling of site which was formerly a Chrome-plating operation.

- Monitoring for Existing Tanks
- 6. Method
    - 1) Monthly Test
    - 2) Daily Vadose Semi-annual groundwater One time soils
    - 3) Daily Vadose One time soils Annual tank test
    - 4) Monthly Gndwater One time soils
    - 5) Daily Inventory Annual tank testing Cont pipe leak det Vadose/gndwater mon.
    - 6) Daily Inventory Annual tank testing Cont pipe leak det
    - 7) Weekly Tank Gauge Annual tank testing
    - 8) Annual Tank Testing Daily Inventory
    - 9) Other \_\_\_\_\_

There will be 4 borings done as per workplan. The borings will be temporarily (1 day) filled with a 2" sleeved casing for hydraulic gradient and for sampling purposes - and then destroyed.

- 7. Precs Tank Test Date: 2643
- 8. Inventory Rec. 2644
- 9. Soil Testing 2646
- 10. Ground Water. 2647

RP wished to replace soil previously removed from site/pl... advised not to do so.

- New Tanks
- 11. Monitor Plan 2632
  - 12. Access. Secure 2634
  - 13. Plans Submit 2711
  - 14. As Built Date: 2635

Rev 8/88

II, III

Contact: \_\_\_\_\_

Title: \_\_\_\_\_

Signature: \_\_\_\_\_

Inspector: Brian Oliver

Signature: \_\_\_\_\_



**EXCEL TRANS, INC.**

CAD981982663

290 West Channel Road, P.O. Box 866, Benicia, CA 94510-0866

1350 East Greg Street, Suite 3, Sparks, NV 89431

503 West 400 South, Salt Lake City, UT 84101

Phone (707) 745-8907

(800) 272-6899

FAX (707) 745-8024

September 15, 1992

Alameda County Health Agency  
Brian P. Oliva, R.E.H.S.  
Senior Hazardous Material Specialist  
80 Swan Way, Room 200  
Oakland, CA 94621

Subject: Chromex Facility, 1400 Park Avenue, Emeryville, CA 94608

Dear Mr. Oliva:

Thank you for your August 31, 1992 letter stating that the ACHA concurs with the submitted workplan for a preliminary subsurface investigation at Chromex, including the ACHA clarifications.

ACHA clarification No. 3 requires that Excel Trans provide you with at least forty-eight (48) hours notice prior to commencement of any work at the site. In response to the aforementioned requirement, drilling and sampling will begin at the site on Thursday, October 1, 1992 at 8:00 a.m.

If you have any questions, please do not hesitate to call me at (707) 745-8907.

Sincerely,

Mary L. Boyd  
Project Engineer

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, Assistant Agency Director

August 31, 1992

Mr. Steve Slade  
Charles Lowe Co.  
1400 Park Ave.,  
Emeryville, CA 94608

DEPARTMENT OF ENVIRONMENTAL HEALTH  
Hazardous Materials Division  
80 Swan Way, Rm. 200  
Oakland, CA 94621  
(510) 271-4320

Subject: Chromex Facility, 1400 Park Ave., Emeryville, CA 94608

Dear Mr. Slade:

This office has received and reviewed the workplan dated July 24, 1992, submitted by Excel Trans Inc. (ETI), your consultant of record. Thank you for the prompt attention given this site.

upon review of the workplan, this office concurs with the plan as submitted, with the following clarifications:

- 1) This is a preliminary subsurface investigation of the site. Following review of the findings/analysis from the proposed work by this office it may be necessary to submit workplans for further investigation.
- 2) Reference is made to "soil sampling methods", on page 7 of the workplan, regarding the taping of the spoon collection tubes. There has been evidence of false-positive readings from chemicals present in the tape. Teflon seals at the end will be adequate.
- 3) Please provide this office at least forty-eight (48) hours notice prior to commencement of any work at the site.
- 4) Please remit all copies of future results to Rich Hiett at the San Francisco Regional Water Quality Control Board.

If you have any questions, please call this office at (51) 271-4320.

Sincerely,

*Brian P. Oliva*

Brian P. Oliva, REHS  
Hazardous Materials Specialist

*Ravi*  
cc: Mary Boyd, ExcelTrans Inc., 290 W. Channel Rd., Benicia 94510  
Rich Hiett, SFBRWQCB



**EXCEL TRANS, INC.**

CAD981982663

290 West Channel Road, P.O. Box 866, Benicia, CA 94510-0866  
1350 East Greg Street, Suite 3, Sparks, NV 89431  
503 West 400 South, Salt Lake City, UT 84101

Phone (707) 745-8907

(800) 272-6899

FAX (707) 745-8024

July 30, 1992

Brian P. Oliva, R.E.H.S.  
Senior Hazardous Materials Specialist  
Alameda County Health Agency  
80 Swan Way, Room 200  
Oakland, CA 94621

Dear Mr. Oliva:

Enclosed is a workplan, site safety plan, and statement of qualifications for a preliminary subsurface investigation at the former Chromex facility in Emeryville, California.

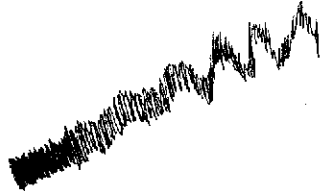
Although the subsurface investigation is not for an underground storage tank, at your request the workplan follows the "Tri-Regional Staff Recommendations, Appendix A, Workplan for Initial Subsurface Investigation" guidelines.

You will notice that the proposed soil boring locations (Appendix A, Map 6) are those that we discussed at the Chromex site on July 1, 1992.

If you have any questions, please call me at (707) 745-8907.

Sincerely,

Mary L. Boyd



92 JUL 31 11 26 AM '92



290 West Channel Road, P.O. Box 866, Benicia, CA 94510-0866  
1350 East Greg Street, Suite 3, Sparks, NV 89431  
503 West 400 South, Salt Lake City, UT 84101  
Phone (707) 745-8907  
(800) 272-6899  
FAX (707) 745-8024

APR 17 1992

April 17, 1992

Ms Susan Hugo  
Alameda County Health Agency  
80 Swan Way, Room 200  
Oakland, CA 94621

Dear Susan:

I am writing to amend the "Technical Proposal and Work Plan for Chromex" submitted to your office April 5, 1991. A majority of the closure work for the former plating facility has been completed at this time. We still intend to submit a Closure Report at the end of the project documenting remediation activities, disposal manifests, and analytical results.

Excel Trans began remediation activities in April 1991. After removing and disposing of all plating solutions and contaminated equipment from the Chromex plating shop, we attempted to clean the building structure. As we hydroblasted the structure, chrome would solubilize and leach from behind some of the horizontal frame pieces onto the wood siding. There was evidently a build-up of chrome contamination between some of the horizontal steel pieces and the wood siding attached to it.

This build-up was present even in areas believed to be amenable to decontamination. Thus, Excel Trans demolished the Chromex addition to the Charles Lowe building, and disposed of contaminated steel and wood siding at an EPA permitted landfill in Idaho. Manifests will be provided in the Closure Report as proof of proper disposal. Removed steel and wood amenable to decontamination was disposed at a scrap recycler after being decontaminated below hazardous waste and target clean levels.

The building floor has a concrete vault that was used to contain the plating tanks. The vault is approximately 24' wide by 22' long by 13' deep. Analytical data has shown that the total chrome concentration in certain areas of the concrete vault wall is up to 7,200 mg/kg. Excel Trans is requesting to amend the Work Plan to include removal and disposal of this chrome-impregnated concrete. The work shall proceed as follows:


- Obtain a demolition permit from the City of Emeryville Building Department.

- Cut and remove select areas of the building concrete floor to install shoring. Install sheet piling with deadmen to support the north Charles Lowe building wall at the south end of the Chromex vault.
- Break the vault floor and walls with an Allied model 88 breaker or equivalent. Remove the concrete pieces with a Komatsu 280 excavator or equivalent.
- Load contaminated concrete into an end-dump and dispose at Envirosafe Services of Idaho, an EPA-permitted landfill.
- Load clean concrete into an end-dump and dispose at Raisch Products of San Jose, a concrete recycler.

We are disposing of contaminated debris under a variance that expires on May 8, 1992. Thus, Excel Trans requests an expedient review of this amendment so we can excavate and dispose of the contaminated concrete by the May 8 deadline.

If you have any questions regarding this correspondence, please contact me at (707) 745-8907.

Sincerely,



David Nielsen  
Project Engineer

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



July 1, 1991

DEPARTMENT OF ENVIRONMENTAL HEALTH  
Hazardous Materials Program  
80 Swan Way, Rm. 200  
Oakland, CA 94621  
(415)

Mr. Edmond Hanna  
Department of Health Services  
Permitting Group  
700 Heinz Ave. Bldg. F, Room 200  
Berkeley, California 94710

**RE: Closure of Plating Facility at Chromex -  
1400 Park Ave. Emeryville, CA 94608**

Dear Mr. Hanna:

Enclosed is a copy of the workplan submitted by Exceltrans for the closure of the plating operation at the referenced site. Chromex is not a permitted hazardous waste management facility (TSDF). However, our department appreciates any comments or recommendations which you may have regarding this closure activity.

Please inform us of any concerns you may have on this matter. You may contact me at (415) 271-4320.

Sincerely,

Susan L. Hugo  
Hazardous Materials Specialist

enclosure

cc: Rafat A. Shahid, Asst. Agency Director, Environmental Health  
Gil Jensen, District Attorney, Alameda County Consumer and  
Environmental Protection  
Edgar B. Howell, Chief, Hazardous Materials Division  
Howard Hatayama, State Department of Health Services  
Files





**EXCEL TRANS**

CAD981982663

2990 Bay Vista Ct., Suite G, Benicia, CA 94510

Phone (707) 745-8907

Fax (707) 745-8024

91 JUN 12 AM 11:16

June 11, 1991

Ms. Susan Hugo  
Division of Hazardous Materials  
Alameda County Health Agency  
80 Swan Way, Room 200  
Oakland, CA 94621

Dear Ms. Hugo:

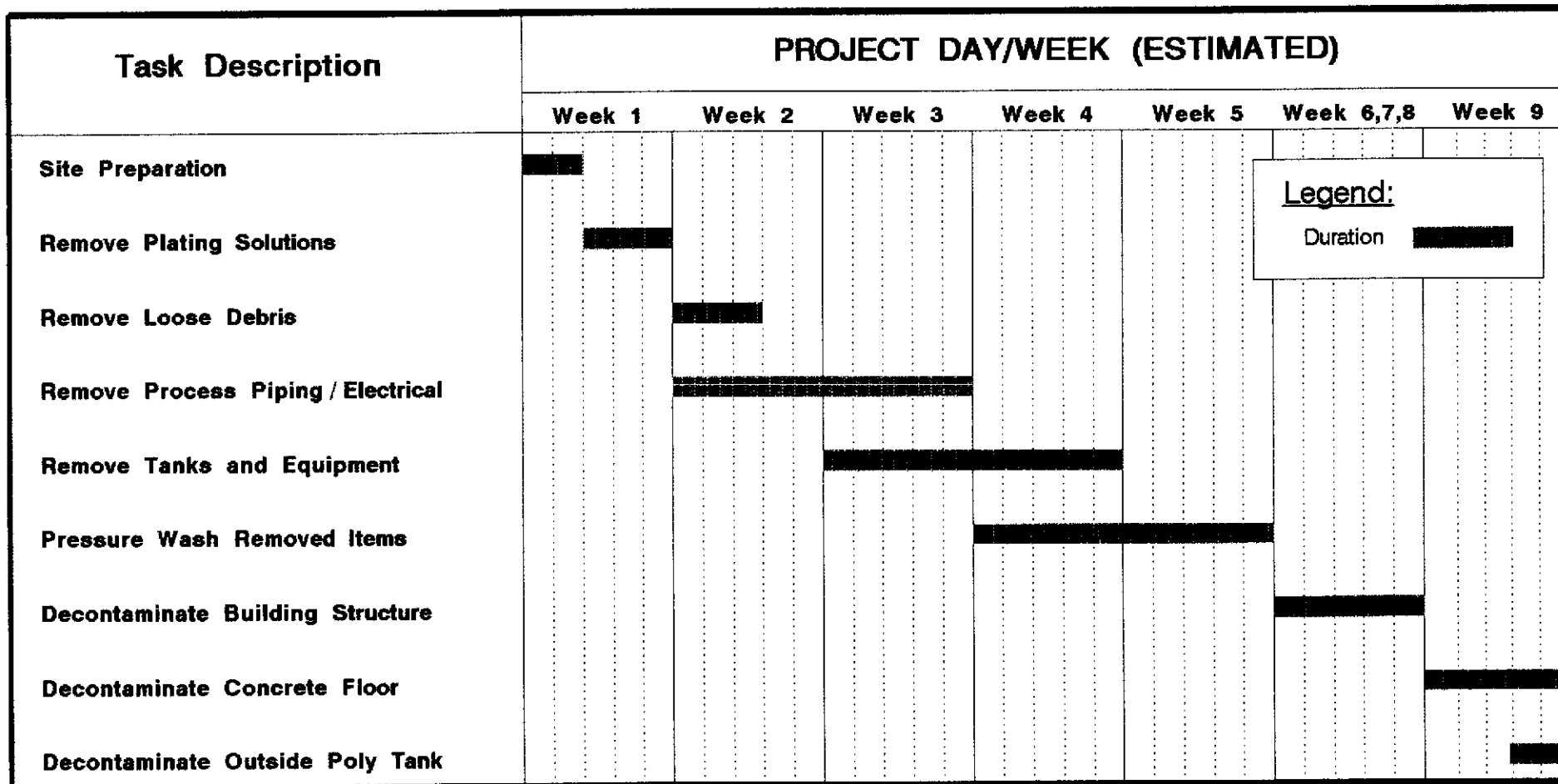
Enclosed please find the estimated project timeline you requested for the Chromex closure at 1400 Park Avenue in Emeryville, California. The timeline estimates the Excel Trans project schedule for remediation activities associated with closure of the plating facility. We are currently in the fifth week of the project schedule.

If you have any questions, please call me at (415) 262-1513.

Sincerely,

David Nielsen  
Project engineer

Enclosure



## CHROMEX DIVISION, CHARLES LOWE Co.

PARK AVENUE FACILITY CLOSURE PLAN  
PROJECT SCHEDULE, EXCEL TRANS, INC.

June 3, 1991

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



May 22, 1991

DEPARTMENT OF ENVIRONMENTAL HEALTH  
Hazardous Materials Program  
80 Swan Way, Rm. 200  
Oakland, CA 94621  
(415)

Mr. Fred Schappert  
Charles Lowe Company  
1400 Park Avenue  
Emeryville, CA 94608

**RE: Workplan For Chromex, Closure of Plating Facility  
1400 Park Avenue, Emeryville, CA 94608**

Dear Mr. Schappert:

The Alameda County Department of Environmental Health, Hazardous Materials Division has received and reviewed the workplan for the closure of the plating facility at the referenced site, as submitted by Excel Trans under cover letter dated April 5, 1991. Through telephone conversation with Mr. David Nielsen of Excel Trans, the closure plan was given a verbal approval and is acceptable subject to the following conditions:

- \* All other Federal, state or local statutes, regulations, ordinances, requirements or limitations which are applicable to your project must be followed.
- \* The Health and Safety Plan consistent with applicable requirements of 29 CFR 1910.120 must be followed and a complete copy must be available at the site during the closure operation.
- \* The on-site storage of any hazardous waste generated by the decontamination activities must not exceed 90 days.
- \* Disposal of waste generated in the closure operation must be supported by analysis by a state certified lab.
- \* Field tests are acceptable as a screening tool but laboratory analysis by a state certified lab are required for verification of the extent of decontamination.
- \* A time schedule for the entire closure activities must be submitted to this department.
- \* A written notification for any changes or deviation in the closure workplan must be submitted and approved by this department.

Mr. Fred Schappert

May 22, 1991

Page 2 of 2

- \* Encapsulation of contaminated structures using a physical barrier such as plaster, epoxy resins, or paint is not acceptable.
- \* A final report of the results of the decontamination and closure process, including all the data from all measurements, the results of all analytical procedures and copies of manifest for disposal must be submitted to this office within one month after the conclusion of closure activities.
- \* After the closure operation has been completed, a final inspection by this department will be conducted.
- \* Investigation for soil and/or groundwater contamination must be executed before final closure can be recommended.

Issuance of a final closure for the facility will depend on the extent to which the clean-up work done meets the requirements of this letter.

If you have any questions regarding this letter, please contact me at (415) 271-4320.

Sincerely,



Susan L. Hugo  
Hazardous Materials Specialist

cc: Rafat A. Shahid, Asst. Agency Director, Environmental Health  
Gil Jensen, District Attorney, Alameda County Consumer and  
Environmental Protection Agency  
Lester Feldman, San Francisco Bay RWQCB  
Howard Hatayama, State Department of Health Services  
David Nielsen, Excel Trans  
Files

PL



**EXCEL TRANS**

CAD981982663

2990 Bay Vista Ct., Suite G, Benicia, CA 94510

Phone (707) 745-8907

Fax (707) 745-8024

91 APR 31 AM 11:27

April 30, 1991

Mr. Thomas Paulson  
Wastewater Control Representative  
East Bay Municipal Utility District  
Source Control Division  
P.O. Box 24055, M.S. 59  
Oakland, CA 94623-1055

Dear Mr. Paulson:

Per our telephone conversation of 4/10/91, I am writing to clarify some issues concerning the "Technical Proposal and Work Plan for Chromex", dated 4/5/91, that was submitted to your office.

It is my understanding that your questions can be summarized as follows:

- 1) Will rinsate produced during closure be discharged to the local sewer system?
- 2) How does ExcelTrans plan to prevent unpermitted discharges to the sewer system?
- 3) How much rinsate is expected during closure?
- 4) What level of chrome contamination is expected in the rinsate?
- 5) Will rinsate that is below target levels for metal concentrations be discharged to the sewer system?

The first area discussed was ExcelTrans' intent concerning unpermitted sewer discharge of rinse waters produced during closure. ExcelTrans has no intention of discharging any rinse water, as stated on page 8 of the Work Plan. Rinsate produced during closure operations will be collected and managed as hazardous waste. We understand that a sewer discharge permit from EBMUD and certified analytical data detailing the contents of the rinse water is required before discharge to the sewer will be allowed.

To prevent unplanned discharges to the sewer system, ExcelTrans will follow the following procedures during closure:

Your Innovative Carrier

- A. Install a containment berm around all areas where pressure washing will be performed as stated on page 5 of the Work Plan. Gather the rinsate produced and manage as hazardous waste.
- B. Plug all sewer floor drains in the immediate area of the closure project before pressure washing or liquid handling operations commence.
- C. In the event of a release, follow spill clean-up procedures as outlined on page B-12 of the Work Plan.

ExcelTrans estimates a maximum of 23,000 gallons of rinsate will be produced during closure. This estimate is based on the pressure washer delivering 3.8 gallons per minute of wash water, 5 hours of washing per day, and a total of 20 days using the pressure washer. This estimate may be dramatically reduced depending on techniques of decontamination finally employed.

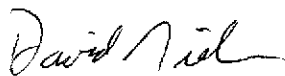
On 4/1/91, ExcelTrans ran a pilot study at Chromex to determine the applicability of high pressure water washing to decontamination operations. A wood box constructed of 1/2" plywood was selected as the sample area. The box was pressure washed, and rinsate samples were evaluated for chrome concentration using a field test kit. Results indicated a chromate ion concentration between zero and fifty parts per million in the rinsate.

Finally, ExcelTrans would like to stress that the target limits proposed in the Work Plan are used to establish numerical target clean levels only. In no way did we mean to imply that rinsate meeting target limits would be discharged to the sewer. Any proposed sewer discharge resulting from decontamination operations will require a permit from EBMUD. Please refer to page 8 of the Work Plan that discusses rinse water disposal.

I spoke with Susan Hugo from the Alameda County Health Agency on 4/29/91. She verbally approved the Chromex Work Plan, and informed me she would send written confirmation to the Charles Lowe Company by 5/3/91. We expect to begin Work Plan operations the first full week in May.

If you have any further questions, please contact me at (415) 262-1513.

Sincerely,



David Nielsen  
Project engineer

cc: Fred Schappert, Charles Lowe Co.  
Susan Hugo, Alameda County Health Agency  
Bill Grant, ExcelTrans

