

6000 S CORPORATION

42080 OSGOOD ROAD

FREMONT, CALIFORNIA 94539

(510) 657-7633

FAX: (510) 657-8010

October 11, 1994

Mr. Steve Inn
Alameda County Water District
PO Box 5110
Fremont, CA 94537

RE: Quarterly Monitoring Report - 3rd Quarter 1994

6000 S Corporation
6000 Stevenson Blvd.
Fremont, CA

Dear Mr. Inn:

In accordance with Section 13267(b) of the California Water Code, 6000 S Corporation is hereby reporting on actions taken during the period of July 1, 1994 thru September 30, 1994 regarding environmental issues at the 6000 Stevenson Blvd. site.

As reported in our Quarterly Reports for 1992, 1993 and two quarters in 1994, two environmental concerns remain on the site, which included:

- o Contaminated Soil (California Oil Recyclers)
- o Ground Water Monitoring of existing wells

6000 S Corproation has met with its consultant and a disposal plan was submitted July 22, 1994. The control agency required some modification of the plan and a resubmittal was made on August 30, 1994. The soil has continued to be aerated to a 18" depth in July, August and September, and intense irrigation was applied following each preparation. This process will continue monthly until an agreement on the soil disposal is made.

Issue Two - Installation of Ground Water Monitoring Well

The following tests have been conducted at the 6000 Stevenson site in 1993 and 1994.

APRIL 1993 - A new monitoring well M5 was installed, inspected and accepted by the Agency. Testing of the water was done at that time and tests were submitted by Clark & Witham.

SEPTEMBER 1993 - Bechtel, under direction of the U. S. Environmental Protection Agency, did extensive soils and monitoring well testing. The results are presented in Attachment 2 which were submitted with our 3rd quarter 1993 report.

DECEMBER 1993 - 6000 S Corporation employed All Environmental Inc. to do quarterly monitoring well water tests for the fourth quarter of 1993 and for four quarters of 1994.

JANUARY 17, 1994 - All Environmental performed monitoring well water tests which were submitted with our 1st quarter report.

APRIL 27, 1994 - All Environmental performed monitoring well water tests dated April 27, 1994, which were submitted with our 2nd quarter report.

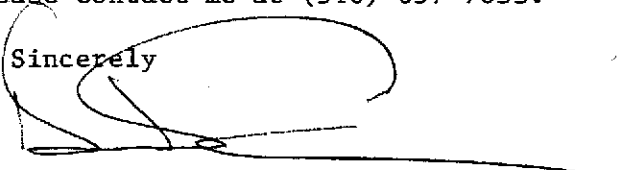
JULY 27, 1994 - All Environmental performed monitoring well water tests dated July 27, 1994 which are attached to this report.

Monitoring well water testing will continue through 1994 until the testing contract with All Environmental is fulfilled. At the end of 1994, we will have eight (8) quarters of testing. Test results at this point will become statistically significant and hopefully a final determination can be made to conclude the environmental issue at 6000 Stevenson Blvd.

Three enclosures have been attached to this report; the July 27, 1994 All Environmental test results, the July 22, 1994 Work Plan for Stockpiled Soil and the August 30, 1994 revised Work Plan for Stockpiled Soil.

If there are any questions concerning this report, or if further information is required on any matters reviewed, please contact me at (510) 657-7633.

Sincerely



Dale W. Sobek
President

DWS:g

cc: Ms. J. Belomy, C.O.F.
Mr. R. Hiett, R.W.Q.C.B.
Mr. S. Seery, A.C.D.E.W. ✓
Mr. Larry E. Lulofs, Esq.
Mr. Rob Wilson, C.O.F.
Ms. Janet Harbin, C.O.F.
Mr. David J. Neagle, Sanwa Bank

Encls. (3)

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION
2101 WEBSTER STREET, SUITE 500
OAKLAND, CA 94612

Phone: (510) 286-1255
Fax: (510) 286-1380



Mr. Dale Sobek
6000 S Corporation
42080 Osgood Road
Fremont, CA 94539

November 5, 1992
File: 2223.09(ES)

Re: Site Investigation & Cleanup at 6000 Stevenson Boulevard, Fremont

Dear Mr. Sobek:

This letter is to follow up our meeting held at the Regional Board office on November 4, 1992. In that meeting, you agreed to submit the HLA's final copy of the site characterization report by the following day. We also understand that the report, which should have been submitted to ACWD and this office some time ago, will be signed by HLA's professional engineer/geologist to assure the report contents have been reviewed and certified to be correct.

You also committed to respond by the end of this month to ACWD's letter of March 2, 1992 regarding the requirement of a comprehensive investigation of soil and groundwater pollution and cleanup. As we confirmed in the meeting that ACWD is still the lead agency for the technical aspects of this case, you agreed to prepare future work plans and technical reports in accordance with their guidance. In addition, you agreed to submit by mid-December, 1992 a revised Work Plan with a time schedule for the comprehensive site investigation.

As I indicated, this office has not received the Work Plan required by our August 17, 1992 letter. I also explained to you in the meeting that our request for the work plan pursuant to Section 13267 of the Water Code was made on behalf of ACWD after their repetitive failures in getting your compliance with their requirements. Therefore, if your Work Plan to be submitted by mid-December is accepted by ACWD, you will be deemed to comply with our requirements as well.

Should you have any questions, please contact Eddy So of my staff at (510)286-4366.

Sincerely,

Steven Ritchie
Executive Officer

cc: Steven Inn, ACWD
Scott Seery, ACHD
Ken Slamon, Fremont Fire Department
Gil Jensen, Alameda County DA office 9/13 21:00:25

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION
2101 WEBSTER STREET, SUITE 500
OAKLAND, CA 94612

Phone: (510) 286-1255
Fax: (510) 286-1380



92 OCT 27 11:11:04

October 21, 1992
File No. 2223.09(ES)

Mr. Dale Sobek
6000 S Corporation
42080 Osgood Road
Fremont, CA 94539

Re: Soil and Groundwater Pollution at 6000 Stevenson Boulevard,
Fremont, CA

Dear Mr. Sobek:

This office has received your August 31, 1992 letter in response to our request for a work plan and schedule necessary to define the horizontal and vertical extent of soil and groundwater pollution at the above-referenced site by August 31, 1992. As of today, you still have not submitted the required work plan for our evaluation. This indicates that you are in a non-compliance status with respect to this office's request for a technical report under Section 13267(b) requirements of the California Water Code.

Should you like to meet with me to discuss this issue, please contact Eddy So of my staff at (510)286-4366 for meeting arrangement.

Sincerely,

Steven R. Ritchie
Executive Officer

cc: Steven Inn, ACWD
Julie Belomy, City of Fremont
Gil Jensen, ACDA office
Paul La Courreye, USEPA - Region 9
Scott Seery, ACHD

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION
2101 WEBSTER STREET, SUITE 500
OAKLAND, CA 94612

Phone: (510) 286-1255
Fax: (510) 286-1380

October 1, 1992

File: 2223.09 (ES)



92 OCT -7 10:12

Mr. Paul La Courreye
U.S. Environmental Protection Agency
Region IX
75 Hawthorne Street
San Francisco, CA 94105

Re: 6000 S Corporation at 6000 Stevenson Boulevard, Fremont

Dear Mr. La Courreye:

Since the last meeting at Alameda County District Attorney's office on April 23, 1992 to discuss the various environmental issues related to the above site, my staff has reviewed the sampling plan which is attached to your Site Inspection report. Following the discussion with your designated contractor (Bechtel Environmental, Inc.) for this case during the meeting on September 23, 1992, we request your consideration to expand the referenced field sampling plan to collect more soil and groundwater samples from the site. Also the inclusion of petroleum hydrocarbon waste in your analysis scheme will help us to depict an update picture of the site pollution status.

Enclosed with this letter is our proposed supplement to your original sampling plan. We consider that this additional information is crucial to our plan for further action on this case. Those areas shown in the attached diagram are believed to have contamination in the past. Anyhow, we understand from Bechtel that there may be difficulty in gaining access to the site and also the time for field work will be very limited. With this in our mind, we still hope that as many samples as possible could be collected and analyzed by your contractor. Your assistance is much appreciated.

Please contact Eddy So of my staff at (510)286-4366 if you have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Lester Feldman'.

Lester Feldman, Supervisor
Toxics Cleanup Division, Section I

encl. Supplemental sampling plan & diagram

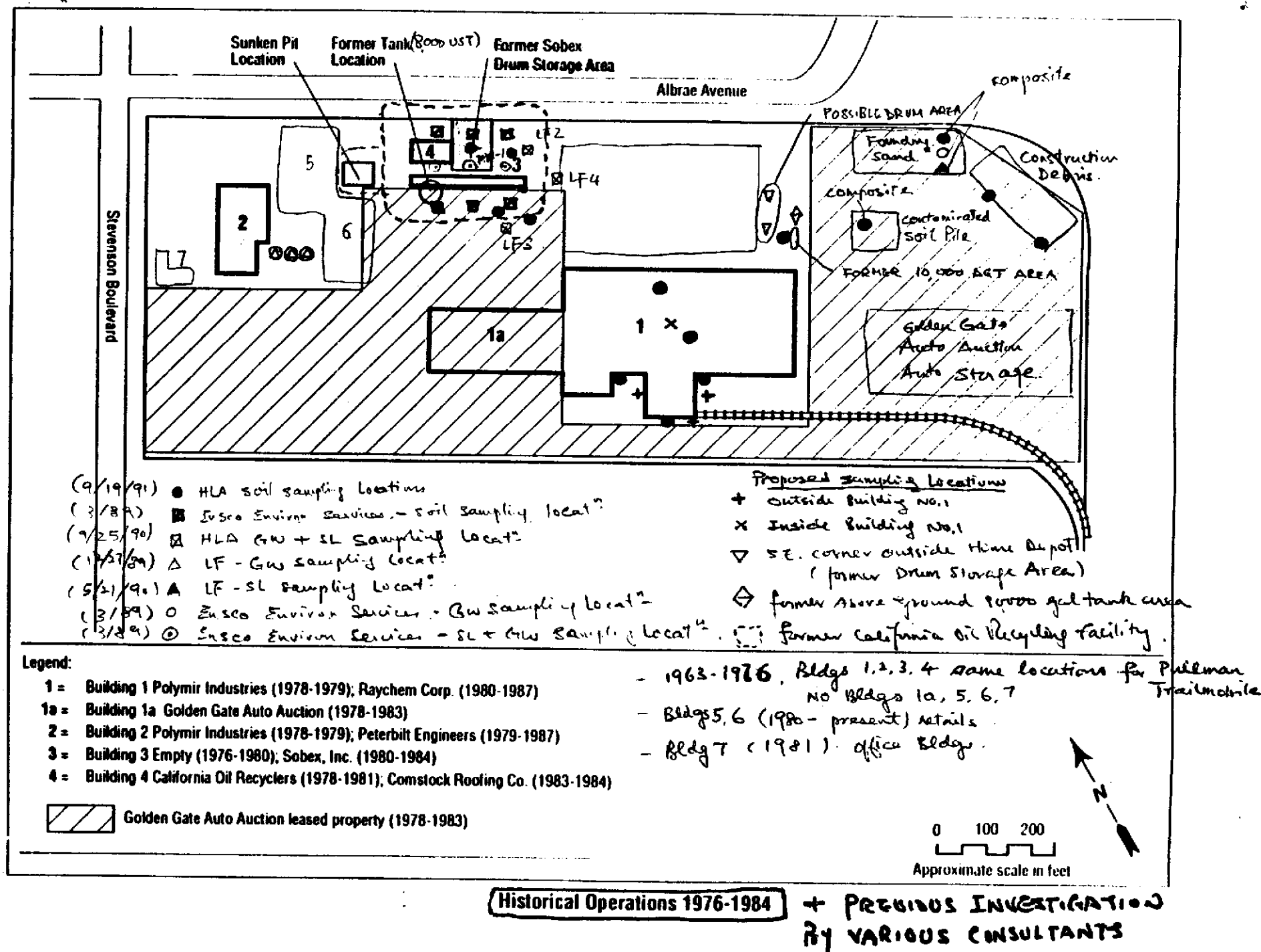
cc: Steven Inn, ACWD
Julie Belomy, City of Fremont
Howard Hatayama, DTSC
Gil Jensen, Alameda County District Attorney's Office
→ Scott Seery, ACHD

Paul La Courreye
EPA Region IX
6000 S Corporation

Attachment
Supplemental Sampling Plan

EPA Method	Priority	Volatile PCBs		TPHd &	TOG
	Metals	Organics		TPHg	
	200.7/245.1 /6010	624/8240 /8270	608/8080	Mod.8015	5520 E&F, D&F
Building No.1 :					
'Inside, Former Leaky Drums Area	X	X		X	
'Outside, Former Loading Dock Areas	X	X	X		X
Former 8,000 gal UST Area		X		X	
Former 10,000 gal Aboveground Tank Area	X	X			
Former Drums Storage Areas :					
'1. Former California Oil Recycling Facilities	X	X	X	X	X
'2. South-east Side of Home Depot Building		X	X	X	X

Remarks: Soil and groundwater samples are required for each of the above areas
Locations shown in the attached diagram are for illustration purpose only.
Exact locations shall be determined on site



MICHAEL FREUND
ATTORNEY AT LAW
1915 ADDISON STREET
BERKELEY, CALIFORNIA 94704

92 SEP 17 11:40:00

510/540-1992

September 16, 1992

RECEIVED
SEP 17 1992

DISTRICT ATTORNEY
ALAMEDA COUNTY
CEPD

Daniel Lungren, Attorney General
Ed Weil, Deputy Attorney General
Cliff Rechtschaffen, Deputy Attorney General
2101 Webster Street
Oakland, CA 94612

John Meehan, Alameda County District Attorney
Gilbert Jensen, Senior Deputy District Attorney
7677 Oakport Street, # 400
Oakland, CA 94621

Jayne Williams, Oakland City Attorney
505 14th Street, 12th Floor
Oakland, CA 94612

RE: 60-Day Notice for Failure to Warn Public About Chemicals
Listed Pursuant to Health and Safety Code Section 25249.6

Dear Prosecutors:

I represent the People United for a Better Oakland, (PUEBLO) a multiracial, multilingual membership based organization dedicated to improving the environment, health care, housing and education of the people in Oakland.

This letter constitutes notification that a violation of the warning requirement of Proposition 65, the Safe Drinking Water and Toxic Enforcement Act (commencing with section 25249.5 of the Health and Safety Code) has been violated by American Brass and Iron Foundry, located at 7825 San Leandro Street, Oakland, California 94621.

Pursuant to section 25249.7 (c) of the Health and Safety Code, an action to enforce the provisions of Proposition 65 may be brought by the Attorney General in the name of the People of the State of California or by the district attorney. If action is not commenced within 60-days from the date of this letter, the undersigned may bring enforcement action by direct citizen suit pursuant to section 25249.7 (d).

In particular, American Brass has exposed and continues to expose numerous individuals within Oakland to the following chemicals subject to Proposition 65: hexavalent chromium, listed February 27, 1987; arsenic, listed February 27, 1987; beryllium, listed October 1, 1987; cadmium, listed October 1, 1987; formaldehyde, CAS Number 50000, listed January 1, 1988; lead, listed February 27, 1987; mercury, listed July 1, 1990; nickel, listed October 1, 1987; and TCDD, (CAS Number 1746016) listed

January 1, 1988.

American Brass is in violation of Proposition 65 by failing to provide the following warning to those persons exposed to the above chemicals in Oakland. "WARNING: This area contains a chemical known to the State of California to cause cancer, birth defects or other reproductive harm." (California Administrative Code, title 22, section 12601.)

While in the course of doing business, American Brass is knowingly and intentionally exposing the public to various chemicals already determined by the state to cause cancer and reproductive toxicity without first giving clear and reasonable warning to such persons. (Health and Safety Code section 25249.6.) Moreover, based on the exposure involved, we believe the method of warning should be "... a notice mailed or otherwise delivered to each occupant in the affected area. Such notice shall be provided at least once in any three-month period." (California Administrative Code, title 22, section 12601 (d) (1) (B).)

Kindly inform my office if a decision is made to bring action pursuant to section 25249.7 (c). If you will initiate legal action, I would appreciate being provided with copies of any pleadings you file, be kept informed of the progress of the case and be consulted about settlement, if any.

If legal action is not commenced by your office within 60-days from the above date, we will file a complaint pursuant to section 25249.7 (d).

If you have any questions, please contact my office at your earliest convenience.

Sincerely,



Michael Freund
Attorney for PUEBLO

cc: David Robinson, American Brass & Iron Foundry
Sandra Davis, PUEBLO
Alfredo DeAvila, CTWO

CERTIFICATE OF SERVICE

I am a citizen of the United States and a resident of the County of Alameda. I am over the age of eighteen years and not a party to the within entitled action; my business address is 1915 Addison Street, Berkeley, California 94704.

On September 16, 1992, I served the within 60-Day Notice for Failure to Warn Public About Chemicals Listed Pursuant to Health and Safety Code Section 25249.6

on the parties in said action, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States Post Office mail box in Berkeley, California and/or by hand delivery to said parties addressed as follows;

Daniel Lungren
Attorney General
2101 Webster Street
Oakland, CA 94612

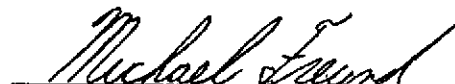
David Robinson
American Brass & Iron
7825 San Leandro St.
Oakland, CA 94621

John Meehan, District Attorney
Gilbert Jensen, Sr. Deputy
7677 Oakport St., # 400
Oakland, CA 94621

Jayne Williams, City Attorney
505 14th St., 12th Floor
Oakland, CA 94612

I, Michael Freund declare under penalty of perjury that the foregoing is true and correct.

Executed on September 16, 1992, at Berkeley, California.



Michael Freund

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION
2101 WEBSTER STREET, SUITE 500
OAKLAND 94612

Phone: (510) 464-1255

Fax: (510) 464-1380



Mr. Dale W. Sobek
6000 S Corporation
42080 Osgood Road
Fremont, CA 94539

August 17, 1992
File No. 2223.09(ES)

Re: Investigation of Soil and Groundwater Contamination at 6000 S Corporation

Dear Mr. Sobek:

Since the initial findings of 19 ppb Aroclor 1254 (a PCB), 5,800,000 ppb total oil and grease, and 330,000 ppb TPH-d in the former 586-foot well at your site in June 1989, you have acknowledged the existence of groundwater pollution beneath your property. Even though my staff requested a full soil and groundwater investigation during the meeting in City of Fremont on November 13, 1989, and in our letters dated January 4 and June 4, 1990, I am not aware of any progress made by you in response to our requests for groundwater investigation.

I am very concerned with your statement made in the latest quarterly reports of April 1 and July 7, 1992 that "6000 S Corporation does not anticipate any further activity on Monitoring Well Installation until the contaminated soils issue is resolved by the court." This indicates that you have incorrectly connected the groundwater investigation with the contaminated soil issue. In accordance with the referenced reports, the status of the contaminated soil issue is undeterminable at this time.

As you know, this office is charged with the responsibility under the Water Code to protect the State's water quality. It does not appear that you have made a diligent effort to investigate and cleanup the groundwater at your site. Therefore, pursuant to the Regional Board's authority under Section 13267 of the California Water Code, you are hereby required to submit a Work Plan and schedule delineating steps to be taken to define the horizontal and vertical extent of soil and groundwater pollution at the above-referenced site. The investigation Work Plan is due to my office by August 31, 1992. You should be aware that failure to submit or late submittal may result in fines up to \$1000 per day of delinquency.

Please submit a copy of the Work Plan to the following agencies:

- * **Alameda County Water District**
- * **Alameda County Health Department**
- * **City of Fremont, Hazardous Material Division.**

**6000 S Corporation
Dale W. Sobek
August 17, 1992
Page 2 of 2**

Should you have any questions, please contact Eddy So of my staff at (510) 464-4366.

Sincerely,



**Steven R. Ritchie
Executive Officer**

**cc: Gil Jensen, Alameda County District Attorney's Office
Jill Duerig, Alameda County Water District
Shelly Bronson, City of Fremont, Hazardous Materials Division
Howard Hatayama, Cal-EPA, Department of Toxic Substance Control
Scott Seery, Alameda County Health Department**

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION
2101 WEBSTER STREET, SUITE 500
OAKLAND, CA 94612

Phone: (510) 464-1255
FAX: (510) 464-1380



92 JUL 19 11 3 15

Mr. Dale W. Sobek
6000 S Corporation
6000 Stevenson Blvd.
Fremont, CA 94538

July 17, 1992
File No. 2223.09(ES)

Re: Investigation of Soil and Groundwater Contamination at 6000 S Corporation

Dear Mr. Sobek:

Since the initial findings of 19 ppb Aroclor 1254 (a PCB), 5,800,000 ppb total oil and grease, and 330,000 ppb TPH-d in the former 586-foot well at your site in June 1989, you have acknowledged the existence of groundwater pollution beneath your property. Even though my staff requested a full soil and groundwater investigation during the meeting in City of Fremont on November 13, 1989, and in our letters dated January 4 and June 4, 1990, I am not aware of any progress made by you in response to our requests for groundwater investigation.

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Please submit a copy of the Work Plan to the following agencies:

- * Alameda County Water District
- * Alameda County Health Department
- * City of Fremont, Hazardous Material Division.

6000 S Corporation
Dale W. Sobek
July 17, 1992
Page 2 of 2

Should you have any questions, please contact Eddy So of my staff at (510) 464-4366.

Sincerely,



Steven R. Ritchie
Executive Officer

cc: Gil Jensen, Alameda County District Attorney's Office
Jill Duerig, Alameda County Water District
Shelly Bronson, City of Fremont, Hazardous Materials Division
Howard Hatayama, Cal-EPA, Department of Toxic Substance Control
Scott Seery, Alameda County Health Department

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, Assistant Agency Director

June 3, 1992

Mr. Paul La Courreya
U.S. Environmental Protection Agency
Region IX
75 Hawthorne Street
San Francisco, CA 94105

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

RE: FOUNDRY SANDS, 6000 S CORPORATION, 6000 STEVENSON BOULEVARD,
FREMONT

Dear Mr. La Courreya:

Since the April 23, 1992 meeting held at the Alameda County District Attorney's Office to discuss the numerous environmental concerns associated with the referenced site, I have had the opportunity to review Appendix F of the January 9, 1992 Bechtel Environmental, Inc. Site Inspection report. Appendix F of this report presents Bechtel's sample and analysis recommendations intended solely for EPA Hazard Ranking System analysis data acquisition. My review focused on that sample and analyses strategy targeting the foundry sand waste stream.

Following are my comments:

- 1) As I understand the facts, the subject foundry "sand" has already been removed from the subject site. From discussion at the April meeting, I further understand that environmental samples would be collected from the area of the subject site where the foundry "sand" had historically been stockpiled. These samples would in turn be analyzed for the same compounds as those targeted for the foundry "sand."

Sampling methods, whether for the waste itself or environmental samples, should be consistent with those outlined under Subsection 66261.20(c), of Article 3, Chapter 10, Division 4.5, Title 22, California Code of Regulations (CCR), or other sampling methods specified in Appendix I of that Chapter.

- 2) The genesis and homogeneity of the subject foundry "sand" has not been clearly established. However, research into the waste handling practices of the source foundry, American Brass and Iron Foundry (ABI) of Oakland, indicates that ABI historically mixed all solid waste streams together prior to "disposal." Such solid waste streams could include spent foundry sands and baghouse waste, among others. Hence, the material described as foundry "sand" was more likely a mixture of solid waste generated from more than one process at ABI.

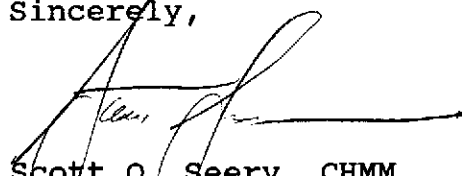
. Paul La Courreys
6000 S Corp., 6000 Stevenson Blvd., Fremont
June 3, 1992
Page 2 of 2

Research into ABI's air pollution abatement compliance record, archived at the Bay Area Air Quality Management District (BAAQMD) offices in San Francisco, revealed that ABI experienced numerous afterburner malfunctions in the years immediately preceding the delivery of the subject "sand" to the 6000 S Corporation site. The afterburner is designed to destroy unburned hydrocarbons (HC) liberated from the incomplete combustion of the cupola furnace's fuel coke. Such malfunctions inundated the baghouse with unburned HC. The particulates collecting in the baghouse, now saturated by these unburned HC, were then (potentially) mixed with other solid wastes, including foundry sand, before disposal.

As a results of this discovery, and others associated with emission tests for and the operation of a similar foundry elsewhere in Alameda County, the Department required that the subject foundry "sand" be analyzed for other compounds in addition to 12 priority metals. Namely, the "sand" was also to be tested for polyaromatic hydrocarbons (PAH), and dibenzodioxins / dibenzofurans. We recommend that these additional tests be incorporated into any sample strategies for the environmental assessment of former foundry "sand" stockpiling areas, and the "sand" itself.

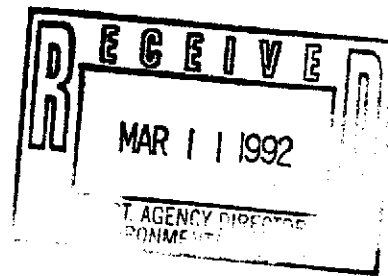
Please feel free to call me at 510/271-4320 should you have any comments or questions.

Sincerely,



Scott O. Seery, CHMM
Senior Hazardous Materials Specialist

cc: Gil Jensen, Alameda County District Attorney's Office
Eddie So, RWQCB
Jill Duerig, ACWD
Linda Vrabel, City of Fremont
Patti Barni, DTSC



March 6, 1992

TO: Allan Boscacci

FROM: Dave Robinson *DR*

SUBJECT: Summary of Alameda County Health Agency Meeting

The outcome of the March 2nd meeting was positive. The county was most hopeful and willing to work with American Brass and Iron in managing the foundry sand located at 6000 S. Stevenson Blvd. Based on our knowledge of the foundry sand and acknowledgement that the county is willing to work with us on this project, in all probability the project will be a successful one.

During the meeting several suggestion were presented, all of which were valid in assisting with the management of the material. The main scope of the meeting consisted of summarizing AB&I plans for managing the foundry sand in the most effective way and with least amount of impact. *Environmentally, the largest concern was determining the extent of contamination created by heavy metals, in particular lead.* Existing plans for addressing this issue are well underway and are part of our overall project management plan. The county requested an outline of the project in order to assist, if necessary, with the project. Copies of the project outline will be submitted by March 10, 1992. >?

The meeting potentially could be an indication of how future projects could be addressed with joint communications between a regulatory agency and industry. A big factor for the communication was brought about by Ms. Mary Ortendahl of Alameda County Economic Development Agency. It was refreshing to see activities occurring of this nature and was greatly appreciated.

/dr

cc: Mary Ortendahl, Affairs Coordinator, Economic Development
Rafat Shahid, Assistant Agency Director, Environmental Health ✓



DIRECTORS

FRANK BORGHI, JR.
President
JOSEPH G. DAMAS, JR.
CLARK W. REDEKER
TIM ROLLISSON
CARL H. STRANDBERG

P. O. BOX 5110 • 43885 SOUTH GRIMMER BOULEVARD, FREMONT, CALIFORNIA 94537
PHONE (510) 659-1970 FAX (510) 770-1793

OFFICERS

JAMES D. BEARD
General Manager
ANDREW J. GERAGHTY
Auditor
RUTH R. EVANS
District Secretary

March 2, 1992

Dale W. Sobek, President
6000 S Corporation
42080 Osgood Road
Fremont, CA 94539

STATUS OF SUBSURFACE INVESTIGATION AND REMEDIATION AT 6000 S CORPORATION, 6000 STEVENSON BOULEVARD, FREMONT

Alameda County Water District (ACWD) thanks you for your investigation and remediation efforts to date. However, in reviewing the site activities since ACWD's April 22, 1991 letter (copy enclosed) and the February 11, 1992 work plan prepared by Resna, there are several major areas of ongoing concern:

o Definition of Soil Contamination

PCB, VOC, priority metal and hydrocarbon contamination has been detected in two distinct areas of the site--one to the northwest of the existing Home Depot building (near the former California Oil Recyclers facility) and the second to the southeast of the Home Depot building (where apparently-contaminated soil was excavated during construction of a loading dock and stockpiled nearby without any runoff controls).

o Definition of Groundwater Contamination

No complete groundwater monitoring well results have been received since June 1989. Partial submittals received in April 1991, which have not been confirmed in a final report signed by a California-registered professional, indicate that shallow groundwater has been contaminated with PCB's, gasoline, kerosene, diesel, xylenes and other constituents.

o Quarterly Reporting

Quarterly reporting should follow the format in the previously-transmitted Guidelines and include data from quarterly monitoring of all on-site wells.

RECEIVED
MARCH 11 1992

Dale W. Sobek
6000 S Corporation
Page 2
March 2, 1992

o Remediation

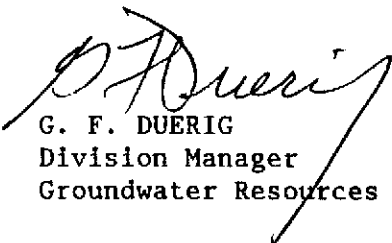
Soil and groundwater should be remediated to protect/restore potential beneficial uses of ground- and surface-water. All past work, including remediation of stockpiled soil, should be documented.

RECOMMENDATIONS: Expand Resna's proposal to include monitoring all on-site wells for Total Petroleum Hydrocarbons (as gasoline, diesel and kerosene), Total Oil and Grease, VOC's (8240), priority pollutant metals and PCB's (8080). Collect soil samples and test for the same constituents. Initiate work plan so that results can be included in the next quarterly report due in this office by April 15, 1992. Include as appendices to that report documentation of all past activities (e.g., details of activities related to remediation of stockpiled soil; installation report for wells constructed in September 1990; etc.).

ACWD previously identified these concerns in our letter to you of April 22, 1991 (copy enclosed). RWQCB's letter of January 4, 1990 (also enclosed) requested that they be addressed in the work plan due January 22, 1990. A complete work plan is already past due. Quarterly reporting should be initiated. Quarterly reports should address the hydrogeologic interpretation as well as the general information detailed in the previously-transmitted Guidelines. They should be submitted by the fifteenth day of the first month of each calendar quarter (i.e., April 15, 1992; July 15, 1992; October 15, 1992; etc.).

You should be aware that since ACWD is working in conjunction with RWQCB this is a formal request for technical reports pursuant to Section 13267(b) of the California Water Code. Continued failure to respond will result in ACWD's referral of this case to RWQCB for enforcement. The Regional Board is empowered to impose civil liability to a maximum amount of \$1,000 per day for such noncompliance. A copy of the letter is also being forwarded to the Alameda County District Attorney's Office.

If you have any questions or would like to schedule another meeting to discuss this case, please do not hesitate to call me.


G. F. DUERIG
Division Manager
Groundwater Resources

JD:bb

Enclosure

cc: Gilbert Jensen, Alameda County District Attorney's Office

✓ Scott Seery, ACDEH
Linda Vrabel, Fremont
Lester Feldman, RWQCB
Paul La Courreye, USEPA



92 JAN 29 10:55

City of Fremont

Building & Safety Department
Environmental Protection Division
39572 Stevenson Place, Suite 125
Fremont, California 94539 - 3075

(415) 791 - 4279

January 28, 1992

Mr. Michael Denney
Home Improvement Malls of America
6000 Stevenson Boulevard
Suite C
Fremont, CA 94538

Dear Mr. Denney:

The purpose of this letter is to confirm our telephone conversation on January 23. The Environmental Protection Division (EPD) will approve your Business Tax Application based on the understanding this is for a small business office only which occupies a leased space within an existing structure at 6000 Stevenson Boulevard. No hazardous materials are associated with, or are on the site, of this business. You indicated that you had discussed with Mike Johnson of Community Development the possibilities of a new building to be constructed at this site. Mike has indicated to me that, since no related applications have been filed with the city, no formal review has begun.

However, several significant concerns have been identified previously regarding environmental contamination at this site. These issues must be adequately addressed before any construction of a new building could begin at this site. While there is insufficient information at this time to determine details of the required remediation, there is the potential for significant delays to the issuance of a Building Permit and/or Certificate of Occupancy.

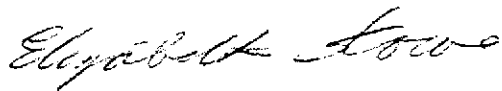
EPD has extensive files regarding this site which you are welcome to review. For your information, I have included a copy of a notice from the District Attorney's Office, restrictions approved



January 28, 1992
6000 Stevenson Blvd.
Page 2

by the City Council, and other related material. If you have any questions, either myself or Linda Vrabel, a Hazardous Materials Specialist, is available to discuss this site.

Sincerely,



ELIZABETH STOWE
Manager

cc: Jill Duerig, Alameda County Water District
Gil Jensen, Alameda County District Attorney's Office
Scott Seery, Alameda County Environmental Health
Lester Feldman, Regional Water Quality Control Board
Mike Johnson, City of Fremont Planning Department
Linda Vrabel, City of Fremont Environmental Protection
Jim Gonzales, City of Fremont Attorney's Office

DEPARTMENT OF TOXIC SUBSTANCES CONTROL

400 P STREET, 4TH FLOOR
SACRAMENTO, CA 95814



TELECOPY TRANSMITTAL FORM

TOXICS LEGAL OFFICE

400 P Street

P. O. Box 942732

Sacramento, CA 94234-7320

Tel: (916) 323-4910 [ATSS 473-8127]

Fax: (916) 323-5542 [ATSS 473-5542]

TO:

SCOTT Seery
(510) 271 4320
Fax No: (510) 568

DATE:

10/30/91

NUMBER OF PAGES:

2

(Incl. Cover Sheet)

FROM:

Bob Hoffman

SUBJECT:

American Brass & Iron

COMMENTS:

I just found this letter in my
in-basket. I asked the Staff person
Jessie Schnell, to call you. Her # is (916)

[*NOTE: The information contained in this facsimile message (and any documents accompanying it) is confidential and intended only for the use of the individual or entity named above. This transmission may also be protected by the Lawyer/Client Privilege, the Lawyer Work Product Privilege, or both. Unauthorized disclosure, distribution or copying of this communication is strictly prohibited. If you have received this transmission in error, please notify this office immediately to arrange for its return.]

Morton, Lulofs & Allen

ROGER F. ALLEN
MICHAEL CHARLES COMYNS
LARRY E. LULOFS
KAREN D. MARCUS
WILLIAM R. MORTON
G. GEOFFREY WOOD

ATTORNEYS AND COUNSELORS AT LAW
ONE KAISER PLAZA, SUITE 750
OAKLAND, CALIFORNIA 94612

TELEPHONE
(415) 444-5521

FACSIMILE
(415) 444-8263

October 18, 1991

Phillip B. Bass, Esq.
TITCHELL, MALTZMAN, MARK, BASS,
OHLEYER & MISHEL
650 California Street, 29th Floor
San Francisco, California 94108

RE: Sobek v. American Brass
Action No. H 151806-5

Dear Mr. Bass,

A settlement conference is scheduled in the above-entitled matter for October 31, 1991 before Judge Dunbar. Our client, Dale Sobek, will be out of town from October 31, 1991 through November 17, 1991. Mr. Sobek will be available November 18, 1991 if the conference is scheduled at 4:00 p.m. This correspondence serves to notify you of our intention to choose another day subsequent to Mr. Sobek's return upon which to reschedule the conference so that all may be present. We will contact the court for available dates and inform you of our results.

If you have any questions, please give me a call.

Very truly yours,

MORTON, LULOFS & ALLEN


Larry E. Lulofs

cc: Dale Sobek
Gil Jensen
Scott Serry

DEPARTMENT OF TOXIC SUBSTANCES CONTROL

400 P Street, 4th Floor
P.O. Box 806
Sacramento, CA 95812-0806



(916) 322-3670

October 16, 1991

Mr. David Robinson
American Brass & Iron Foundry
7825 San Leandro Street
Oakland, California 94621

Dear Mr. Robinson:

RECYCLABLE MATERIAL EXEMPTION OR EXCLUSION FOR A FOUNDRY
BY-PRODUCT

Your letter of September 19, 1991 to Mr. Robert Hoffman of our legal staff was referred to me for an answer. In your letter you stated that material from a foundry casting operation was originally removed offsite but, due to changes in demand, may be returned to American Brass & Iron Foundry. You expressed interest in recycling this material onsite, but were concerned that the recycling procedure could exceed 12 months.

In a subsequent telephone conversation with Ms. Jessie Schnell of my staff, you described the foundry waste material as 'slag, foundry sand and other large particles.' Apparently, it had been sent offsite for use as concrete aggregate. In this telephone conversation, you did not state precisely how the returned foundry waste would be recycled. You also questioned whether the foundry waste was hazardous.

Several points have to be clarified before we can provide you with regulatory guidance. First, it is important to determine if your foundry waste sent offsite can be classified as a hazardous waste pursuant to our criteria in Chapter 11, Division 4.5, Title 22, California Code of Regulations (CCR). It is also necessary to establish, assuming the waste is hazardous, if it is regulated by the federal government. For assistance in these determinations, please contact our Waste Evaluation Unit at (916) 322-3670.

Secondly, if the foundry waste is hazardous, we would need to have a complete description of the material and to know precisely how you intend to recycle it onsite. Exclusions and exemptions for recyclable materials are listed in subdivisions (b), (c) and (d) of Section 25143.2 of the California Health and Safety Code (HSC). There are, however, limitations to the exclusions/exemptions; these limitations are listed in subdivision (e) of Section 25143.2, HSC. A compilation of our recycling laws, including these provisions, is enclosed for your review. We cannot determine if your waste stream qualifies for

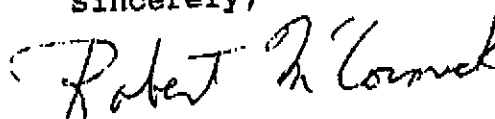
Mr. David Robinson
October 16, 1991
Page 2

an exclusion or exemption without a description of the material and its intended use. Your concern about the recycling time, however, is well founded. If your waste stream is regulated as a hazardous waste by the federal government, i.e., if it is a RCRA waste, and if it is to be recycled onsite, it must be recycled within 90 days of its date of generation. Furthermore, one of the Section 25143.2(e) limitations is that a recyclable material cannot be "accumulated speculatively." This means that 75 percent of the waste stream must be recycled during the calendar year, commencing January 1, even if it is a non-RCRA waste.

Finally, you should be aware of two other provisions of the recycling laws: (1) to qualify for a recyclable material exclusion or exemption, you must observe certain requirements regarding labeling of tanks and containers, preparation of a business plan, and local storage requirements, among others, pursuant to Section 25143.9, HSC, and (2) in the event you do qualify for a recyclable material exclusion, you must be able to provide records supporting your claim to an exemption, pursuant to Section 25143.2(f), HSC. Proposed legislation if signed into law may affect the condition of Section 25143.2.

If you have any questions, please contact Ms. Jessie Schnell of my staff at (916) 322-1003.

Sincerely,



Robert McCormick
Alternative Technology Division

cc: Mr. Howard Hatayama
Region 2/Berkeley
Department of Toxic Substances Control
700 Heinz Avenue, Building F
Second Floor
Berkeley, California 94710

Mr. Robert Hoffman
Legal Office
Department of Toxic Substances Control
P.O. Box 806
Sacramento, California 95812-0806

Morton, Lulofs & Allen

ROGER F. ALLEN
MICHAEL CHARLES COMYNS
LARRY E. LULOFS
KAREN D. MARCUS
WILLIAM R. MORTON
G. GEOFFREY WOOD

ATTORNEYS AND COUNSELORS AT LAW
ONE KAISER PLAZA, SUITE 750
OAKLAND, CALIFORNIA 94612

TELEPHONE
(415) 444-5521
FACSIMILE
(415) 444-8263

91 OCT 15 5:11:30

October 14, 1991

Honorable William L. Dunbar
Judge of the Superior Court
SOUTHERN DIVISION, HAYWARD BRANCH
24405 Amador Street, Dept. 40
Hayward, California 94544

RE: SOBEK V. AMERICAN BRASS & IRON FOUNDRY
Action No: H 151806-5

Dear Judge Dunbar:

This letter is to confirm that the settlement conference in this case which was scheduled for October 17th has been continued. The new date is October 31, 1991 at 4:00 P.M.

Thank you very much.

Very truly yours,

MORTON, LULOFS & ALLEN

Larry E. Lulofs

LEL:pcl

cc: Dale Sobek
Philip B. Bass, Esq.
Gil Jensen, Esq.
Scott Seery
Richard L. Griffith, Esq.

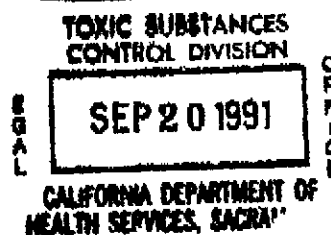


AMERICAN BRASS & IRON FOUNDRY

7825 San Leandro Street • Oakland, CA 94621 • (415) 632-3467
Fax No. (415) 632-8035

September 19, 1991

Robert Hoffman, Esquire
State Legal Office
Department of Toxic Substance Control
P. O. Box 806
Sacramento, CA 95812-0806



Re: Recyclable Classification of a
Foundry Bi-product Material

Dear Mr. Hoffman:

This letter is a formal request to determine if a particular foundry bi-product material could be considered by the Department of Toxic Control Substance as a recyclable material under Title 22, Article 12, Section 66706.

The material in question is generated from a foundry casting operation and is presently identified under Title 22, Article II, Section 66740 as a listed "special waste." This material originally was removed off site, but due to changes in demand, AB&I will possibly be regaining possession. As one option AB&I would like to pursue recycling of the material onsite through the foundry operations.

One point of concern with utilizing this option is the timeframe for which the material could be processed. Because of the amount of material and in conjunction with blending capabilities, the processing procedure could include or exceed a 12 month period.

We appreciate your efforts with regards this project. If you require further information, please feel free in contacting me at (510) 632-3467 ext. 211.

Sincerely,

David Robinson
Environmental Engineering Manager

DR/sr

334
JS

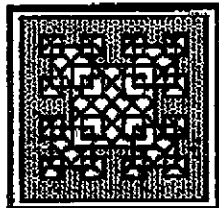
California Environmental Protection Agency

Department of Toxic Substances Control

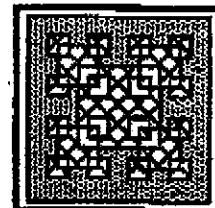
Alternative Technology Division

400 "P" Street, 4th floor

P. O. Box 806 ▼ Sacramento, CA ▼ 95812-0806 ▼ Phone: 916.324.1807 ▼ 916.327.4494 fax



FAX COVER PAGE

Date: 11/7/91Page 1 of 2

TO:

Scott SeeryAlameda County Health

Phone:

FROM:

Jessie Schnell - DTSC

Phone:

916-322-1003

URGENT



CONFIDENTIAL



REQUESTED INFORMATION

COMMENTS

Bechtel

50 Beale Street
San Francisco, CA 94105-1895
Mailing address: P.O. Box 193965
San Francisco, CA 94119-3965

91 SEP 20 PM 12:08

September 19, 1991

Scott Seery
Hazardous Materials Division
Alameda County Department of Environmental Health
Room 200
80 Swan Way
Oakland, CA 94621

Dear Mr. Seery:

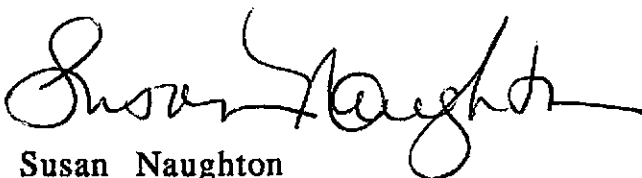
As you remember, I am working for the Environmental Protection Agency (EPA) assisting it in its Preliminary Assessment/Site Inspection Program under CERCLA. This program assesses the potential hazardous waste contamination at a site to evaluate its potential eligibility for the Superfund National Priorities List.

On September 17, 1991, we discussed on the telephone information concerning the Sobex, Inc. site located in Fremont. As part of our contract with EPA for this work, we are required to write a contact report on our conversation and to request that you confirm its contents.

Enclosed is a copy of my contact report on our conversation. Please review, make any changes/additions you feel necessary directly onto this copy, sign on the line labelled "concurrence", and return this copy to me in the enclosed stamped, self-addressed envelope.

Thank you again for your time and your prompt attention to this matter.

Sincerely,



Susan Naughton
PA/SI Project Manager



Bechtel Environmental, Inc.

CONTACT REPORT

AGENCY/AFFILIATION: Alameda County Department of Environmental Health		
DEPARTMENT: Hazardous Materials Division		
ADDRESS: 80 Swan Way, Room 200	CITY: Oakland	
COUNTY: Alameda	STATE: CA	ZIP: 94621
CONTACT(S)	TITLE	PHONE
Scott Seery	Hazardous Materials Spec.	510-271-4320
BEI PERSON MAKING CONTACT: Susan Naughton <i>SN</i>		DATE: Sept 17, 91
SUBJECT: County Enforcement Authority and Activities at Sobex		
SITE NAME: Sobex ^k		EPA ID#: CAD 982399784

DISCUSSION: Scott Seery returned my call. We discussed County enforcement authority. Summary - Since ^{approx.} 1985, the County has had a Memorandum of Understanding with the State. The County operates for State in implementation and enforcement of CAL-EPA (CA DHS) ^(Chp. 6.5, HSC; Title 22, CCR) laws/regulations relating to hazardous waste within its jurisdiction.

Seery's present actions at Sobex^k relate to foundry sands only.

SEERY He stated there are volumes of data and correspondence within the different agencies relating to activities at Sobex^k. I said we had collected lots of it. We have talked with numerous agencies, conducted data review and site visit and still need a few additional parameters sampled for to be able to verify our analysis under HRS. I said that Jim Davidson, Site Leader, would contact him to discuss our findings and our sampling needs and rationale. We were in process of submitting a letter to EPA outlining our sample needs. EPA would then request County to request Mr. Sobek to add these samples. ^{SEERY} He said County (he) should not have a problem with this.

SEERY He said because of his ^{research and prior experience with a NPL site associated with foundry sand disposal} experience in remediation at foundry, he requested that foundry sands be sampled for ^{certain} Title 22 metals, dioxins/furans, and PNAs.

Mr. Sobek submitted sample plan recently. DA requested that Seery review by end of first week of October. Seery would appreciate our input if we can prior to that time.

Contact Concurrence: _____

Date: 10-3-91

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

SAN FRANCISCO BAY REGION

2101 WEBSTER STREET, SUITE 500

OAKLAND, CA 94612

(415) 464-1255



91 SEP 19 AM 11:56

September 17, 1991

File No. 2223.09(LF)

Scott O. Seery
Alameda County Health Care Services
Department of Environmental Health
80 Swan Way, Room 200
Oakland, CA 94621

SUBJECT: 6000 S Corporation, Fremont - Foundry Sands Proposal

Dear Scott:

I have reviewed the proposal for sampling the foundry sands at the 6000 S Corporation site in Fremont, transmitted to me by copy of an August 30, 1991 letter to you. You had requested this foundry sand sampling plan as one element of the previously requested complete environmental assessment necessary at the 6000 S Corporation site. The foundry sands had previously been found to contain hazardous waste levels of heavy metals.

The submitted approach goes well beyond the characterization issues which your technical request addresses. The sampling plan discusses conditions under which some soil could remain on-site. Specifically, the sampling plan refers to the "Marshak Manual", a staff report from the Central Valley Regional Board. This staff report provides a general methodology for reviewing the classification and ultimate disposal requirements for designated and hazardous waste, but does not specify cleanup levels. The document does not set the Policy of this Regional Board. Any soil containing elevated levels of pollutants proposed for on-site containment will be allowed only where Waste Discharge Requirements are issued by the Regional Board. These requirements will consider possible affects of the pollutants on groundwater under the Board's Sources of Drinking Water and Non-Degradation Policies. The requirements will also consider the possible environmental effects of surface runoff. I also suggest that the Health Department comment on the public health issues which would be a part of any on-site encapsulation.

Please contact me at (415) 464-1332 if there are any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lester Feldman", is written over a horizontal line.

Lester Feldman
Toxics Section

cc: Gil Jensen, Alameda County District Attorney's Office
Jill Duerig, Alameda County water District
Elizabeth Stowe, City of Fremont Environmental Protection

DEPARTMENT OF TOXIC SUBSTANCES CONTROL

400 P Street, 4th Floor
P.O. Box 806
Sacramento, CA 95812-0806

(916) 322-3670

October 16, 1991



Mr. David Robinson
American Brass & Iron Foundry
7825 San Leandro Street
Oakland, California 94621

Dear Mr. Robinson:

**RECYCLABLE MATERIAL EXEMPTION OR EXCLUSION FOR A FOUNDRY
BY-PRODUCT**

Your letter of September 19, 1991 to Mr. Robert Hoffman of our legal staff was referred to me for an answer. In your letter you stated that material from a foundry casting operation was originally removed offsite but, due to changes in demand, may be returned to American Brass & Iron Foundry. You expressed interest in recycling this material onsite, but were concerned that the recycling procedure could exceed 12 months.

In a subsequent telephone conversation with Ms. Jessie Schnell of my staff, you described the foundry waste material as 'slag, foundry sand and other large particles.' Apparently, it had been sent offsite for use as concrete aggregate. In this telephone conversation, you did not state precisely how the returned foundry waste would be recycled. You also questioned whether the foundry waste was hazardous.

Several points have to be clarified before we can provide you with regulatory guidance. First, it is important to determine if your foundry waste sent offsite can be classified as a hazardous waste pursuant to our criteria in Chapter 11, Division 4.5, Title 22, California Code of Regulations (CCR). It is also necessary to establish, assuming the waste is hazardous, if it is regulated by the federal government. For assistance in these determinations, please contact our Waste Evaluation Unit at (916) 322-3670.

Secondly, if the foundry waste is hazardous, we would need to have a complete description of the material and to know precisely how you intend to recycle it onsite. Exclusions and exemptions for recyclable materials are listed in subdivisions (b), (c) and (d) of Section 25143.2 of the California Health and Safety Code (HSC). There are, however, limitations to the exclusions/exemptions; these limitations are listed in subdivision (e) of Section 25143.2, HSC. A compilation of our recycling laws, including these provisions, is enclosed for your review. We cannot determine if your waste stream qualifies for



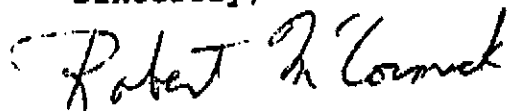
Mr. David Robinson
October 16, 1991
Page 2

an exclusion or exemption without a description of the material and its intended use. Your concern about the recycling time, however, is well founded. If your waste stream is regulated as a hazardous waste by the federal government, i.e., if it is a RCRA waste, and if it is to be recycled onsite, it must be recycled within 90 days of its date of generation. Furthermore, one of the Section 25143.2(e) limitations is that a recyclable material cannot be "accumulated speculatively." This means that 75 percent of the waste stream must be recycled during the calendar year, commencing January 1, even if it is a non-RCRA waste.

Finally, you should be aware of two other provisions of the recycling laws: (1) to qualify for a recyclable material exclusion or exemption, you must observe certain requirements regarding labeling of tanks and containers, preparation of a business plan, and local storage requirements, among others, pursuant to Section 25143.9, HSC, and (2) in the event you do qualify for a recyclable material exclusion, you must be able to provide records supporting your claim to an exemption, pursuant to Section 25143.2(f), HSC. Proposed legislation if signed into law may affect the condition of Section 25143.2.

If you have any questions, please contact Ms. Jessie Schnell of my staff at (916) 322-1003.

Sincerely,



Robert McCormick
Alternative Technology Division

cc: Mr. Howard Hatayama
Region 2/Berkeley
Department of Toxic Substances Control
700 Heinz Avenue, Building F
Second Floor
Berkeley, California 94710

Mr. Robert Hoffman
Legal Office
Department of Toxic Substances Control
P.O. Box 806
Sacramento, California 95812-0806

MEMO to file

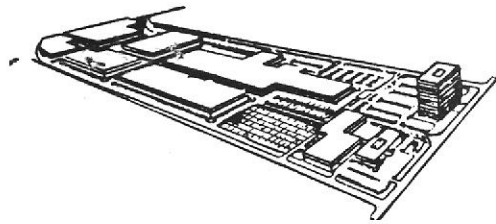
9-17-91

I met with David Robinson of ABIF today. He was recently hired by ABIF to help them with the Oakland facility's compliance problems, and to assist them with the foundry sand issue with respect to 6000 S Corp.

He expressed an interest in "controlling" the foundry sands, ~~and~~ to the degree that ABIF would likely propose to move the subject sands to their Oakland facility. A place at the site is already being cleared where the sand can be segregated from other solid wastes at the site. Mr. Robinson indicated they would hope to move the sands prior to ~~they~~ their being analyzed. I said that it wasn't clear that DHS (Cal-EPA) would allow such a move prior to its characterization, but encouraged him to negotiate with DHS ~~and~~ ~~with~~ with respect to a variance for his proposal.

Mr. Robinson indicated that he was to be meeting with ABIF's attorney later today, and would discuss this issue with him. I suggested that ABIF's attorney ^{may} want to negotiate with Sobek over this, however, still recognizing that a lot would depend on the regulatory limits there may be to such a move.

I told Mr. Robinson that if this could be approved, I hesitate to review the plan submitted by Sobek's consultant.



6000 S CORPORATION

91 AUG 29 5:10 PM
42080 OSGOOD ROAD

FREMONT, CALIFORNIA 94539

(415) 657-7633

FAX: (415) 657-8010

August 29, 1991

Mr. Scott O. Seery
Alameda County Health Care Services
80 Swan Way, Room 200
Oakland, CA 94621

RE: Foundry Sand Sampling Proposal

Dear Mr. Seery:

I received a Foundry Sand Sampling Proposal yesterday and hand delivered it to our attorney, Mr. Larry Lulofs, for immediate distribution.

Please note completion of testing and a final report can be done two months after acceptance of the plan by the responsible agency, so your prompt response will be appreciated.

Enclosed is an interesting article on toxicity of Dioxin, which I read in the Milpitas Post last night. Is this the same Dioxin that has generated all this anxiety? Your technical clarification of the preceding question would be appreciated.

Sincerely,

Dale W. Sobek
President

DWS:j

Mr. Scott O. Seery
Alameda County Health Care Services
80 Swan Way, Room 200
Oakland, CA 94621
August 29, 1991
Page 2 of 2

cc: Rafat A. Shahid, Assistant Agency Director, Environmental Health
Edgar Howell, Chief, Hazardous Materials Division
Gil Jensen, Alameda County District Attorney's Office
Howard Hatayama, DHS
Lester Feldman, RWQCB
Jill Duerig, ACWD
Paulette Garcia, City of Fremont Attorney's Office
Bob Eppstein, City of Fremont Building and Safety Department
Ann Draper, City of Fremont Planning Department
Larry Lulofs, Esq.

Encl: (1) Article on toxicity of Dioxin

Environmental issues plague Congress, legislature

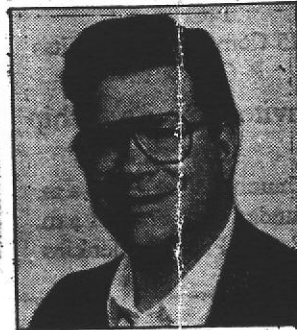
by FRANK DeSMIDT

Environmental issues always seem to capture headlines and attention these days, and the trend appears to be continuing. It seems to me that public anxiety influences decisions more than common sense and good science. Taxpayers might be shocked at the excesses and waste in the

Business Viewpoint

name of environmental protection. Let's take a look at some examples of over-indulgence by government and special interests.

1) We all know that asbestos is very dangerous and should be handled very carefully. Efforts to remove the substance at all costs, however, are coming under more scrutiny as unnecessary and wasteful.



Extremist elements even portray a single exposure to such materials as cancer-causing. Some government officials now call for removal of only the most dangerous asbestos installations, where flaking, crumbling and dust could be inhaled.

Other more stable structures should be left standing until rebuilding and demolition take place. Yet some people want these removed anyway at any cost, even though removal could risk more exposure.

2) The federal government spent half-a-billion dollars on the NAPAP study of acid rain.

The solid scientific conclusions indicated a small acid rain problem, and that most of the degradation of forests and lakes was naturally caused.

Unfortunately, Congress dismissed this expensive study and passed another clean air bill that will cost our economy billions and billions of dollars to comply with. Politics and hysteria, not sound science, prevailed here.

3) Your back yard could be a wetland. This is why President Bush is correctly rolling back absurd regulations and definitions regarding wetlands.

A recent NBC News report illustrated the foolishness of wetlands protection laws. Any piece of land where water stands for seven days or more is defined as a wetland. Any piece of land where moisture remains at a depth of 18 inches for seven days or more is defined as a wetland. Property anywhere could come under these senseless descriptions.

Small farmers and landowners have been mercilessly hamstrung from conducting their affairs. Environmental groups responded by showing that the Army Corps of Engineers approved most of the applications for development and exemption. What they didn't want to reveal was that 40 percent of the applications were withdrawn, probably out of frustration. President Bush is right in saying that potholes are not wetlands. Potholes don't need to be preserved and protected.

4) Some scientists are having second thoughts about the toxicity of dioxin. Previously, this chemical was regarded as extremely lethal, similar to smoking many packs of cigarettes a day. Now they view exposure to dioxin about as harmful as laying on the beach in the sun.

Meanwhile, the federal government is spending \$200 million cleaning up Times Beach, Mo., where some dioxin laced

material was dumped nearby. The residents have been forced to move out of their homes. They would like to return. It has been a couple of years now, and the cleanup continues in spite of the new evidence.

I believe our representatives in Congress and our Legislature have fallen out of touch with their constituents on these issues. They seem much more responsive to anxiety and hysteria. They are voting for more and more taxes and regulations to address the environment and exercising less and less prudent judgment on these issues.

Being popular, politically correct, and getting re-elected seems more important to them than making the best decisions for everyone. Isn't it time for them to "get real?"

Frank DeSmidt is chairman of the Milpitas Chamber of Commerce Government Affairs Committee.

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



Certified Mailer # P 367 604 446

August 23, 1991

Mr. Dale Sobek
6000 S Corporation
6000 Stevenson Boulevard
Fremont, CA 94539

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

RE: FOUNDRY SAND SAMPLING PROPOSAL; 6000 S CORPORATION, 6000
STEVENSON BOULEVARD, FREMONT

Dear Mr. Sobek:

In correspondence dated May 17, 1991, you were directed to submit a foundry sand sampling proposal to this Department no later than July 1, 1991. The May 17 notice outlined the technical and regulatory scope of this sampling proposal. Having failed to submit an acceptable proposal by the July 1 deadline, you were directed in correspondence dated July 23, 1991 to submit a foundry sand sampling and analysis proposal/work plan by August 23, 1991. The certified mailer return receipt documents the July 23 notice was received by your office on July 26, 1991.

You were advised in the July 23 notice that your case would be referred to the Alameda County District Attorney's Office should this latest deadline not be met to the satisfaction of this Department. As of the close of business on August 23, the Department has not received the cited proposal/work plan, nor was there any contact initiated by you or your attorney on, or the days immediately preceding, this date.

Based on information received by this Department, we understand that there was an approximate 2 week delay after receipt of the July 23 notice before an initial attempt was made to contact a consultant capable of preparing the type of technically-rigorous work plan required for the foundry sand characterization project. Please be advised that as a result of the facts outlined in this letter, your case has been turned over to the Alameda County District Attorney's Office for appropriate action.

Should you have any questions about the content of this letter, you may have your attorney contact me at 415/271-4320.

Sincerely,


Scott O. Seery, CHMM
Hazardous Materials Specialist

Mr. Dale Sobek
RE: 6000 S Corp., 6000 Stevenson Blvd.
August 23, 1991
Page 2 of 2

cc: Rafat A. Shahid, Assistant Agency Director, Environmental Health
Edgar Howell, Chief, Hazardous Materials Division
Gil Jensen, Alameda County District Attorney's Office
Howard Hatayama, DHS
Lester Feldman, RWQCB
Jill Duerig, ACWD
Paulette Garcia, City of Fremont Attorney's Office
Elizabeth Stowe, City of Fremont Environmental Protection
Bob Eppstein, City of Fremont Building and Safety Department
Ann Draper, City of Fremont Planning Department
Janet Harbin, City of Fremont Planning Department
Gary DiMercurio, City of Fremont Planning Commission
Larry Lulofs, Esq.
files

P 367-604 446

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

(See Reverse)

U.S.G.P.O. 1989-234-555

PS Form 3800, June 1985

Sent to 6000 S Corp.	
Street and No. 6000 Stevenson	
P.O. State and ZIP Code Fremont 94539	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$
Postmark or Date 8/26/91	

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:

**Dale Sobek
6000 S Corporation
6000 Stevenson Blvd
Fremont, Ca 94539**

4. Article Number

P 367 604 446

Type of Service:

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

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

5. Signature - Address

X **[Signature]**

6. Signature - Agent

X

7. Date of Delivery

8/28/91

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

PS Form 3811, Mar. 1988

U.S.G.P.O. 1988-212-865

DOMESTIC RETURN RECEIPT



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, Ca. 94105

August 19, 1991

To whom it may concern:

This letter is to certify that James Davidson, of Bechtel Environmental, Inc. (BEI), whose signature, photograph and physical description appear below, is a duly designated representative of the U.S. Environmental Protection Agency (EPA).

Pursuant to applicable provisions of Section 104 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, 42 U.S.C. Section 9604, as amended; Section 3007 of the Resource Conservation and Recovery Act (RCRA); Section 9 of the Federal Insecticide, Fungicide, and Rodenticide Act; Section 3 of the Toxic Substances Control Act; and Section 308 of the Clean Water Act, EPA requests that, upon presentation of this letter, this duly designated representative be allowed to:

- A. Enter any facility maintained by a person where any hazardous substance, pollutant or contaminant may have been or may be generated, stored, treated, disposed of or transported from;
- B. Collect samples from your facility of any hazardous substance, pollutant or contaminant and any container or place where any hazardous substance, pollutant or contaminant may have been or may be generated, stored, treated, disposed of, or transported from;
- C. Have access to and copy all records relating to (1) any materials which have been or are generated, treated, stored, disposed of, or transported from; and (2) your ability to pay for or to perform a cleanup.
- D. Determine compliance with any effluent limitation or other limitation, prohibition or effluent standard, pretreatment standard, standard of performance, levels of performance, sanitary landfill criteria, standards applicable to waste generators, transporters and owners and operators of hazardous waste treatment, storage and disposal facilities, or other standards, or any permit, compliance order or court order issued pursuant to RCRA; and
- E. Talk to employees concerning waste management practices.

Thank you for your anticipated cooperation in this matter.

Height: 6' 0"
Weight: 165 lbs.
Color of Eyes: Blue
Color of Hair: Brown
Date of Birth: 8/6/59

Signature

Expiration date:

Designating Authority:

Donald C. White
Chief, Field Operations Branch
Hazardous Waste Management Division



ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



Certified Mailer # P 367 604 439

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

July 23, 1991

Mr. Dale Sobek
6000 S Corporation
42080 Osgood Road
Fremont, CA 94539

RE: FOUNDRY SAND SAMPLING PROPOSAL; 6000 S CORPORATION, 6000
STEVENSON BOULEVARD, FREMONT

Dear Mr. Sobek:

On May 17, 1991, you were directed to submit a foundry sand sampling proposal to this Department no later than July 1, 1991. In a response to this Department dated June 24, 1991, your attorney, Larry Lulofs, submitted contract proposals from two environmental consulting firms. Each consultant's contract proposal identified, as one of several tasks, the requirement to prepare a sampling work plan for submittal to this Department and other agencies, should they be hired for this project.

The June 24, 1991 submittal has been rejected for its failure to provide a detailed foundry sand sampling and analysis proposal/work plan as stipulated in the May 17, 1991 directive from this Department.

As stipulated in the May 17 directive, you are required to submit a detailed sampling proposal which clearly and completely satisfies the requirements articulated by both the referenced departmental directive, and Title 22, California Code of Regulations, as such code pertains to sampling protocol and waste analysis, among other elements. Clearly, this Department was not requesting a copy of contract proposals received by you during your negotiations with potential consultants. The Department expected, and continues to expect, the submittal of a bonafide foundry sand sampling and analysis proposal/work plan. The Department feels that this requirement was made abundantly clear in the May 17 directive and in subsequent telephone conversations with your attorney.

You are directed to submit a foundry sand sampling and analysis proposal/work plan by the close of business on August 23, 1991.

Be advised that this Department will not tolerate further delays in submittal of the referenced sampling and analysis proposal/work plan, or future delays initiating work at this site. Should the August 23 deadline not be met to the satisfaction of this Department, this case will be turned over to the Alameda County District Attorney's Office for enforcement action.

Mr. Dale Sobek
RE: 6000 S Corporation, 6000 Stevenson Blvd.
July 23, 1991
Page 2 of 2

Please be further advised that your statement on page 2, paragraph 1, of your July 10, 1991, correspondence to Ms. Jill Duerig of the Alameda County Water District, with regard to submittal of a foundry sand "testing" proposal as directed by the Department on May 17, 1991, is incorrect for the reasons discussed in this letter.

Should there be any questions regarding the content of this letter, please have your attorney contact me at 415/271-4320.

Sincerely,



Scott O. Seery, CHMM
Hazardous Materials Specialist

cc: Rafat A. Shahid, Assistant Agency Director, Environmental Health
Edgar Howell, Chief, Hazardous Materials Division
Gil Jensen, Alameda County District Attorney's Office
Howard Hatayama, DHS
Lester Feldman, RWQCB
Jill Duerig, ACWD
Paulette Garcia, City of Fremont Attorney's Office
Elizabeth Stowe, City of Fremont Environmental Protection
Bob Eppstein, City of Fremont Building and Safety Department
Ann Draper, City of Fremont Planning Department
Janet Harbin, City of Fremont Planning Department
Gary DiMercurio, City of Fremont Planning Commission
Larry Lulofs, Esq.
files

367 604 439

RECEIPT FOR CERTIFIED MAIL

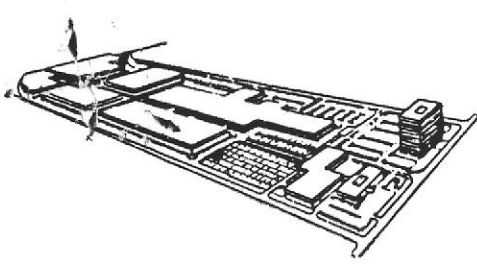
NO INSURANCE COVERAGE PROVIDED
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(See Reverse)

☆ U.S.G.P.O. 1989-234-555

PS Form 3800, June 1985

Sent to <i>Woods Corp</i>	
Street and No. <i>42080 Csgood Rd</i>	
P.O., State and ZIP Code <i>Fremont 94538</i>	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$
Postmark or Date <i>7/24/91</i>	



6000 S CORPORATION

42080 OSGOOD ROAD FREMONT, CALIFORNIA 94539 (415) 657-7633 FAX: (415) 657-8010
July 10, 1991

Ms. G. F. Duerig, Division Engineer
Alameda County Water District
PO Box 5110
Fremont, CA 94537

RE: Quarterly Monitoring Report - 1st & 2nd Quarters 1991
6000 S Corporation
6000 Stevenson Blvd.
Fremont, CA 94538

Dear Ms. Duerig:

In accordance with Section 13267(b) of the California Water Code and your letter dated April 22, 1991, by the present letter 6000 S Corporation is reporting on actions taken during the period of January 1, 1991 thru June 30, 1991.

6000 S Corporation completed the processing of E.I.R. 87-75 and it was certified by the City of Fremont City Council on April 24, 1991. In addition, the 41.85 acre 6000 Stevenson site was rezoned under application (ZA 91-4) and a new Planned District No. 90-18 was formed and approved.

Certain environmental requirements were assigned to 6000 S Corporation as part of the new Planned District. Specific environmental items included:

- o A fee of \$850.00 was paid to the California Department of Fish & Game pursuant to Public Resources Code Section 21089.
- o A site investigation by a qualified biologist to determine presence of burrowing owls was assessed.
- o Removal of contaminated air ducts were required. This removal was done in the second quarter.
- o 6000 S was required to remove and properly dispose of stock-piled soils as well as provide additional investigation, remediation and monitoring if required.

A remediation plan provided by Lowney & Associates under contract to 6000 S submitted and received an approved.

91 JUL 16 PM 12:19

plan to Alameda County Water District and City of Fremont Environmental Protection Department to remediate the stock-piled soils. These soils have been moved and will be remediated per the approved plan for the next 90 days.


On May 17, 1991, a letter was received from Alameda County Health Care, directing 6000 S to submit for review a proposal that clearly outlines plans to conduct further testing of the subject waste foundry sands. 6000 S, as directed, submitted plans by Lowney and Associates and ETIC for review by Alameda County.

6000 S has contacted several contractors to define and monitor ground water from wells installed by its contractors. Results from this effort will be reported in the next quarter.

6000 S presently is in litigation with California Oil Recyclers, an ex-tenant at this site, and American Brass & Iron, the supplier of the foundry sand. The corporation lawyers are working vigorously to resolve these suits and complete site remediation expeditiously.

If there are any questions concerning this report, or if further information is needed on the matters described, please advise me at (415) 657-7633.

Sincerely


Dale W. Sobek
President

DWS:g

cc: Ms. Linda Vrabel, City of Fremont, Public Works Dept.
Mr. Rich Hiett, California Regional Water Quality Control Board
Mr. Scott Seery, Alameda County Dept. of Environmental Health ✓

6000 S Camp
6000 Stevenson
Fremont

MEMO to file:

6-11-91

Linda Urabel of COF was out at the site today for a reason unrelated to the foundry sand issue. She observed apparent foundry sand and metal fragments (slag?) in or on the native soil where the foundry sand had historically been stockpiled. This very area, ~~is~~ or portion thereof, ~~is~~ where Mr. Sobek is planning to place other stockpiled soil (its contamination) for treatment. Visqueen is planned to be placed beneath this soil before treatment, but to what degree it is capable of protecting this area from treatment runoff is unknown.

Complete Items 1 and 2 when additional services are desired, and	
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. <input type="checkbox"/> Show to whom delivered, date, and addressee's address. (Extra charge)	2. <input type="checkbox"/> Restricted Delivery (Extra charge)
3. Article Addressed to: Mr. Dale Sobek 6000 S Corporation 42080 Osgood Road Fremont, Ca 94539	4. Article Number P367604439
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 DATE DELIVERED.	
5. Signature - Address X <i>[Signature]</i>	6. Addressee's Address (ONLY if registered and fee paid)
6. Signature - Agent X <i>[Signature]</i>	
7. Date of Delivery 7/26/91	

PS Form 3811, Mar. 1988 * U.S.G.P.O. 1988-212-888 DOMESTIC RETURN

FREMONT, CA JUL 26 1991

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



Certified Mailer # P 367 604 364

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

May 17, 1991

Mr. Dale Sobek
6000 S Corporation
42080 Osgood Road
Fremont, CA 94539

NOTICE OF REQUEST FOR SAMPLING PROPOSAL

6000 S CORPORATION PROPERTY, 6000 STEVENSON BOULEVARD, FREMONT

Dear Mr. Sobek:

The Alameda County Department of Environmental Health, Hazardous Materials Division, has completed review of the reported facts associated with the placement of an estimated 2000-3500 cubic yards of foundry sands at the subject site. The review of the noted facts follows the January 31, 1991 correspondence from this Department that notified you of our role as lead agency in the foundry sand issue.

Following this discovery period, the Department has determined that additional sampling and tests of the subject foundry sand are necessary to adequately characterize the waste, and to determine appropriate standards for its treatment or disposal. The reasons supporting this determination are presented in greater detail in this letter. However, in summary, we are basing this requirement upon: 1) our review of reports cited in this letter that document limited sampling and analysis of foundry sand at the site; 2) our knowledge of operations and waste management practices at the source foundry; 3) the limitations of the source foundry's air pollution abatement equipment; and, 4) the potential for contaminants other than metals to be present in the waste foundry sand.

The discovery period entailed, in part: 1) review of the range of regulatory standards, law, and policy, and applicable exemptions to these standards, law, and policy, which govern the generation, treatment, and disposal of iron foundry waste streams, including waste foundry sands; 2) inspection of the source foundry, American Brass and Iron Foundry Company of Oakland; 3) review of the air emission permit standards and compliance history of the source foundry; 4) interviews with industry and regulatory professionals acquainted with the chemistry of iron foundry waste streams; 5) review of correspondence pertaining to the subject site from a variety of sources covering approximately the last three years; and, 6) review of sampling and contaminant analysis data presented in formal reports from consultants, as well as those data attached to correspondence submitted under 6000 S Corporation cover.

Mr. Dale Sobek
RE: 6000 S Corp., 6000 Stevenson Blvd.
May 17, 1991
Page 2 of 6

Other contaminants, in addition to certain target metals, may be present in the foundry sands generated by the subject foundry. American Brass and Iron Foundry Company (ABI) uses a coke-fired cupola furnace in their smelting process. Emissions from the cupola furnace are routed through an afterburner, designed to combust and, hence, remove organics from the furnace exhaust, and then through a multi-chamber "baghouse" to collect remaining particulates. Afterburners are often inefficient at removing organic compounds, as proper afterburner temperatures are difficult to maintain without strict temperature monitoring; in addition, equipment breakdowns occur frequently.

Compliance records retained by the Bay Area Air Quality Management District (BAAQMD) present a history of such afterburner malfunctions, which resulted in residual organics inundating the baghouse. ABI has been cited repeatedly by the BAAQMD for air emission violations following such afterburner malfunctions. ABI has also been the subject of both administrative and civil actions as a result of these and other violations. The potential for residual organics to adsorb onto particulates collected in the baghouse because of afterburner inefficiency is high; during afterburner malfunctions, the potential is particularly high.

BAAQMD engineers identified another iron foundry in southern Alameda County which uses similar source iron, fuel (coke), smelting processes, and air pollution abatement technology to that of ABI. Air emission source tests performed at this foundry during October 1990, in response to requirements of AB 2588, the "Air Toxics Hot Spots Information and Assessment Act of 1987," identified 12 metals, hydrogen chloride, and organic compounds (specifically, polyaromatic hydrocarbons (PAH), dibenzodioxins, and dibenzofurans) being emitted. These tests were conducted by collecting exhaust gasses that had passed through the cupola afterburner and baghouse.

Among the many dibenzodioxins identified during these tests was 2,3,7,8-tetrachlorodibenzodioxin, or 2,3,7,8-TCDD, which is recognized as the most toxic of the 75 dioxins known to man. Oral-rat and -mouse LD₅₀ values published in Volume 2 of the 1981-82 Registry of Toxic Effects of Chemical Substances are as low as 22500 ng/kg and 114 ug/kg for this compound, respectively; oral-rat LD₅₀ values published in Volume III of Sax and Lewis' Dangerous Properties of Industrial Chemicals, 7th Edition, are as low as 20 ug/kg. Such compounds exhibit long residency times in soils and are bioaccumulative in animals. Many of the other organic compounds identified in this source test are toxic and known or suspected carcinogens, mutagens, and teratogens. An assessment of the risks for the surrounding community, associated with exposure to these emissions, is pending.

Mr. Dale Sobek
RE: 6000 S Corp., 6000 Stevenson Blvd.
May 17, 1991
Page 3 of 6

ABI, in response to AB 2588, performed their own air emission test. We understand that this test, however, was conducted without concurrence from BAAQMD as to its scope, which was limited solely to analyzing for metals. We further understand that as a consequence of the outcome of tests performed at the foundry in southern Alameda County during 1990, BAAQMD will be requiring additional emissions tests for dibenzodioxins, -furans, and PAHs, among others, at ABI in the near future.

During a recent inspection of ABI, there was an enormous accumulation of foundry sands and slag at the site, with a wide variation of material color, consistency, and apparent composition. Information gathered during this inspection indicated that, up until just "recently," it was the policy of ABI to mix all solid waste streams together before transporting them off-site. Such solid wastes may include a range of foundry sand types (e.g., "green" sands with clay binders, core sands with resin binders, etc.), slag, and baghouse waste, among other potential solid wastes.

Several consultant reports and other data pertaining to the sampling and analysis of waste foundry sands at the subject site, as well as recommended options for the treatment or disposal of this waste, were reviewed, including, but not limited to, the following:

- o June 27, 1991 Levine-Fricke "Draft" report entitled, Sampling of Foundry Sands, 6000 Stevenson Boulevard, Fremont, California (this report also incorporates the sampling and analysis data from a cited January 1990 ENSCO report, and the July 9, 1986 Frederikson Engineering laboratory analysis report).
- o January 12, 1988 Earth Metrics Inc. report, as revised February 1, 1988, entitled, Site Contaminant Characterization History at the Fremont, California Site of 6000 S Corporation (this report incorporates the July 9, 1986 Frederikson Engineering laboratory analysis report, among others).

Pursuant to Section 66694, Article 11 of Title 22, California Code of Regulations (CCR), sampling and sample management must follow those procedures specified in Section One of "Test Methods for Evaluating Solid Wastes, Physical/Chemical Methods," SW-846, 2nd edition, U.S. Environmental Protection Agency, 1982. Consistent with SW-846, a waste sampling plan must be responsive to both regulatory and scientific objectives. If chemical information is to be considered reliable, it must be both accurate and sufficiently precise.

Mr. Dale Sobek
RE: 6000 S Corp., 6000 Stevenson Blvd.
May 17, 1991
Page 4 of 6

To accomplish these objectives, such sampling strategies rely heavily upon the science of applied statistics. Sample accuracy is typically achieved by "random" sampling; whether such sampling is to be in the form of simple, stratified, or systematic random sampling depends upon the nature of the waste and how it was produced. Sampling precision is generally accomplished by collecting an appropriate number of samples, determined by employing Equation 8 of Table 1, SW-846. Further, samples must be "representative" of the sampled population, exhibiting average properties of the whole waste. None of the cited reports document how sampling and analysis protocol followed such SW-846 criteria.

You are directed to submit for review a proposal that clearly outlines plans to conduct further testing of the subject waste foundry sands. This proposal is to discuss sampling strategies and analyses in accord with Article 11, 22 CCR, "Criteria for Identification of Hazardous and Extremely Hazardous Wastes," which by reference incorporates the sampling and analyses protocol of EPA SW-846, and which is consistent with the type of waste at this site and the range of potential contaminants.

Sample analyses are to include the following target compounds, using test methods approved for use by the Department of Health Services Hazardous Waste Laboratory Certification Program:

o **Title 22 metals**

arsenic
beryllium
cadmium
chromium, total
chromium, hexavalent
copper
lead
manganese
mercury
nickel
selenium
zinc

o **polyaromatic hydrocarbons (PAH)**

o **dibenzodioxins / dibenzofurans**

Mr. Dale Sobek
RE: 6000 S Corp., 6000 Stevenson Blvd.
May 17, 1991
Page 5 of 6

Samples found to contain total concentrations of any organic or inorganic persistent or bioaccumulative target compounds that exceed published STLC values for those compounds by a factor of 10 or more will require additional waste extraction tests (WET).

Should elevated levels of any target compounds be identified following chemical analyses of the foundry sand, native soil in the area where this sand was historically stockpiled may require additional testing at the discretion of the oversight agencies. The potential for additional sampling of native soil is to be addressed by either: 1) incorporation of a native soil sampling plan in the current proposal; or, 2) by submittal of a supplemental native soil sampling plan should one become necessary following review of the foundry sand analysis results.

You are directed to submit the noted foundry sand sampling proposal within 45 days of the date of this letter, or by the close of business on July 1, 1991. A final report documenting the results of all activities associated with the foundry sand sampling and analysis, and any other tasks that may be required, is to be submitted within 45 days of the close of field sampling activities. This report should provide recommendations for any additional work at the site, and treatment or disposal options applicable to the waste foundry sand.

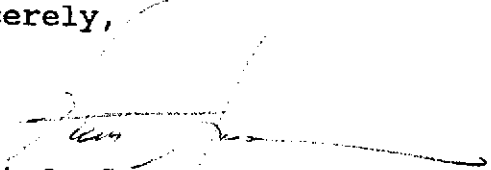
This Department continues to coordinate with the other oversight agencies involved with this case. Therefore, you are further directed to provide copies of this or any supplemental sampling proposal and subsequent reports to the Alameda County Water District (ACWD) and the City of Fremont Environmental Protection Division (EPD). Further, as has been stipulated previously by various authors, copies of all correspondence regarding the subject site are to be provided to the oversight agencies identified at the close of this letter.

Please be advised that until directed otherwise from this Department, you are prohibited from moving, treating, sampling, transporting, or otherwise handling the subject waste foundry sand. Any requests for such activity must be cleared in advance with this Department and the City of Fremont EPD.

Mr. Dale Sobek
RE: 6000 S Corp., 6000 Stevenson Blvd.
May 17, 1991
Page 6 of 6

Please feel free to have your attorney call me at 415/271-4320 should there be any questions regarding the content of this letter.

Sincerely,



Scott O. Seery, CHMM
Hazardous Materials Specialist

cc: Rafat A. Shahid, Assistant Agency Director, Environmental Health
Edgar Howell, Chief, Hazardous Materials Division
Gil Jensen, Alameda County District Attorney's Office
Howard Hatayama, DHS
Lester Feldman, RWQCB
Jill Duerig, ACWD
Paulette Garcia, City of Fremont Attorney's Office
Elizabeth Stowe, City of Fremont Environmental Protection
Bob Eppstein, City of Fremont Building and Safety Department
Ann Draper, City of Fremont Planning Department
Janet Harbin, City of Fremont Planning Department
Gary DiMercurio, City of Fremont Planning Commission
Larry Luloff, Esq.
files

P 367 604 364

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL
(See Reverse)

U.S.G.P.O. 1989-234-555

PS Form 3800, June 1985

Sent to	DALE SOBEN 6000 S CORP.
Street and No.	42080 OSGOOD RD.
P.O., State and ZIP Code	FREMONT, CA 94539
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$
Postmark or Date	

95

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 will be sent to you the name of the person delivered to and the date of delivery. For additional services, see reverse side. Additional 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:
DALE SOBEN
6000 S CORP.
42080 OSGOOD RD.
FREMONT, CA 94539

4. Article Number
P 367 604 364

Type of Service:
☐ Registered
☒ Certified
☐ Express Mail
☐ Insured
☐ COD
☐ Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature - Addressee
X *[Signature]*

6. Signature - Agent
X

7. Date of Delivery
5-20-91

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



Alameda County
District Attorney's Office
John J. Meehan, District Attorney

3/23
Don
Specialist
F.Y.I.

April 22, 1991

Re: Environmental Investigations
6000 S Corporation, 6000 Stevenson Blvd, Fremont, CA


To Whom It May Concern:

This Office represents state and local agencies in the above investigation. We are informed that you are, or may potentially be an occupant of space on property located at, or contiguous with 6000 Stevenson Boulevard, Fremont, California. Water and environmental agencies are currently attempting the identification of potential environmental concerns. Please be informed that the site remains uncharacterized as to the nature and extent of contamination, if any. The information provided by the owner is currently inadequate to form definitive conclusions.

State law may give you the right to disclosure from the lessor as a lessee or potential lessee of the property. Should you wish to pursue this matter, you are advised that your rights to disclosure are independent of the actions of this Office.

Very truly yours,

JOHN J. MEEHAN
District Attorney

By: 

Gilbert A. Jensen
Senior Deputy District Attorney

JJM:GAJ:rf



DIRECTORS
JOSEPH G. DAMAS, JR.
President
FRANK BORCHI, JR.
CLARK W. REDEKER
TIM ROLLISSON
CARL H. STRANDBERG

P.O. BOX 5110 · 43885 SOUTH GRIMMER BOULEVARD, FREMONT, CALIFORNIA 94537
PHONE (415) 659-1970 FAX (415) 770-1793

OFFICERS
JAMES D. BEARD
General Manager
ANDREW J. GERAGHTY
Auditor
RUTH R. EVANS
District Secretary

April 22, 1991

Dale W. Sobek, President
6000 S Corporation
42080 Osgood Road
Fremont, CA 94539

STATUS OF HYDROCARBON INVESTIGATION AND REMEDIATION AT 6000 S CORPORATION,
6000 STEVENSON BOULEVARD, FREMONT

Alameda County Water District (ACWD) thanks you for your investigation and remediation efforts at 6000 S Corporation, 6000 Stevenson Boulevard, Fremont. However, in reviewing the site activities, several major areas of concern have been identified:

o Definition of Soil Contamination

PCB's, originally reported in one of the former deep wells at the site, have also been detected in shallow soil borings SB-9, -10, -11 and -13 according to partial submittals received in April 1991. These and other contaminants (including VOC's and hydrocarbons) must be defined and depicted in cross-sections consistent with the enclosed Guidelines.

o Definition of Groundwater Contamination

Although three new wells were installed in September 1990, the results of this installation have not yet been submitted. No groundwater monitoring well results have been received since June 1989.

o Hydrogeologic Interpretations

No interpretations (such as groundwater gradients, plume maps or soil cross-sections) have been submitted to identify potential pollution migration pathways at the site.

Dale W. Sobek, President
6000 S Corporation
Page 2
April 22, 1991

o Beneficial Uses

No assessment of impacts of this site on beneficial uses of ground and surface water has yet been submitted.

o Remediation

Due to the incomplete nature of submittals to date, it is unclear what remediation has taken place though stockpiled soils reportedly contain diesel (up to 1,000 ppm) along with PCB's, oil and grease. It is also unclear what residual contamination remains in excavated areas or what the impacts of stockpiling without any runoff controls may have had on the areas where excavated soils are now stored.

o Professional Registration

All technical proposals and reports are to be signed by a California-Registered Civil Engineer, -Registered Geologist or -Certified Engineering Geologist.

ACWD previously identified these concerns in our letter to you of August 22, 1989 (copy enclosed). RWQCB's letter of January 4, 1990 (also enclosed) requested that they be addressed in the work plan due January 22, 1990. A complete work plan is already past due. Quarterly reporting should be initiated. Quarterly reports should address the hydrogeologic interpretation as well as the general information detailed in the enclosed Guidelines. They should be submitted by the fifteenth day of the first month of each calendar quarter, (i.e., July 15, 1991; October 15, 1991; January 15, 1992; etc.).

You should be aware that since ACWD is working in conjunction with RWQCB this is a formal request for technical reports pursuant to Section 13267(b) of the California Water Code. Continued failure to respond will result in ACWD's referral of this case to RWQCB for enforcement. The Regional Board is empowered to impose civil liability to a maximum amount of \$1,000 per day for such noncompliance.

If you have any questions or would like to schedule another meeting to discuss this case, please do not hesitate to call me.



G. F. DUERIG
Division Engineer
Groundwater Resources

JD:bb

Enclosure

cc: Lester Feldman, RWQCB
Scott Seery, ACDEH
Elizabeth Stowe, Fremont



City of Fremont

Public Works Department
Hazardous Materials Division
39572 Stevenson Place, Suite 125
Fremont, California 94539 - 3075
April 15, 1991

(415) 791 - 4279

Scott Seery
Alameda County Environmental Health
80 Swan Way #200
Oakland, CA 94621

SUBJECT: MEETING

Dear Scott:

This is written to confirm the meeting scheduled to discuss the property located at 6000 Stevenson Boulevard in Fremont. The meeting will be held at the Environmental Protection Division's office located at 39572 Stevenson Place, Suite 125. The meeting has been scheduled for April 17, 1991 from 4 to 5 p.m.

The purpose of the meeting will be a discussion of the concerns of the various city groups (plans and permits, planning and environmental), as well as county agencies (remediation and waste).

If you have any questions, please feel free to contact me.

Sincerely,

LINDA S. VRABEL
Hazardous Materials Specialist





City of Fremont

Public Works Department
Hazardous Materials Division
39572 Stevenson Place, Suite 125
Fremont, California 94539 - 3075

(415) 791 - 4279

April 12, 1991

Mr. Dale Sobek
6000 S Corporation
42080 Osgood Road
Fremont, CA 94538

RE: 6000 S Corporation, 6000 Stevenson Blvd., Fremont, CA

Dear Mr. Sobek:

Thank you for the April 8, 1991 submittal of the Work Order entitled "Subject Stockpiled Removal Plan" for 6000 Stevenson Boulevard, Fremont, California prepared by Mr. Dale Sobek. The purpose of this work order is to assess areas of potential environmental concern at the site by conducting soil sampling in the area of the contaminated stockpiled soils and retest SB 15 and SB 17 to confirm or reject low level VOCs in these two areas.

Pursuant to Fremont Municipal Code, Hazardous Materials Storage Ordinance 1946, Chapter 12, Section 3-12301 submittals shall bear the signature and stamp of an engineer or other professional registered in the State of California. Please supply such a signature.

Please submit a work plan from a qualified firm experienced in these types of environmental projects. The work plan must meet minimum standards which shall include but may not be limited to:

- o a site plan indicating soil sampling locations.
- o A schedule depicting events associated with the work plan.
- o A commitment to submit a follow-up report in 30 days of project completion including sections containing copies of certified analytical data, landfill receipts,



April 12, 1991
6000 S Corporation
Page 2

conclusions and recommendations for additional work to be performed, if any.

- o A site safety plan including occupational safety protocol, as well as measures to minimize potential contaminated dust migration from the area designated as soil treatment.
- o A description of sample collection, documentation and analytical procedures.
- o A description of the final deposition site of the soil.

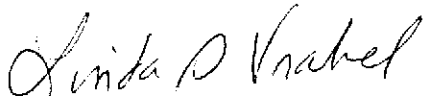
The Alameda County Water District is the lead agency responsible for soil and groundwater investigations, therefore their review and approval is required prior to plan implementation.

During an April 11, 1991 site consultational discussion, I informed you of my concern regarding the discrepancy between the work order and the manifest pertaining to the contaminated duct work and the remaining waste drums. Please resolve this issue and appropriate documentation to this office demonstrating resolution to this office.

We would like to see appropriate and timely action mitigation activities implemented.

Please feel free to contact me, if you wish to discuss this matter with me in greater detail.

Sincerely,



LINDA VRABEL
City of Fremont
Hazardous Materials

cc: Lester Feldman, Regional Water Quality Control Board
Jill Duerig, Alameda County Water District
Paulette Garcia, City of Fremont
Barbara Meerjams, City of Fremont
Mike Rodriguez, City of Fremont
Gil Jensen, Alameda County District Attorney's Office
Scott Seery, Alameda County Health Department

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



March 19, 1991

Mr. Greg Soloman
Bay Area Air Quality Management District
939 Ellis Street
San Francisco, CA 94109

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

RE: AMERICAN BRASS AND IRON FOUNDRY COMPANY, 7825 SAN LEANDRO
STREET, OAKLAND, ALAMEDA COUNTY, CA 94621

Dear Mr. Soloman:

This Department is presently investigating the facts associated with the apparent unlawful disposal of foundry sands at an industrial site within the City of Fremont. As we understand the facts, the noted foundry sands, some 2500 yards³, originated from the referenced American Brass and Iron Foundry Company facility sometime during 1986.

The noted sands have been the subject of several sampling events during the last several years, one facet of an ongoing environmental assessment and remediation project occurring at this site prior to its development. Elevated levels of certain metals, particularly lead, have been identified during at least one of the sampling events. No other target compounds have been sought.

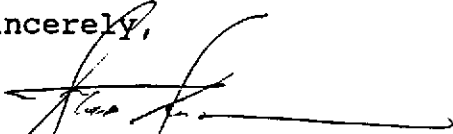
Currently, the Department is attempting to research pertinent records which could identify the potential for other contaminants being present in the noted foundry sands. Of specific interest to us are those contaminant compounds generated or collected incidental to the operation of air pollution abatement devices, e.g., bag house, wet scrubber, and hydro-static precipitator waste, among others. Our current focus will be those systems operating during or before the period the subject foundry sands were disposed in Fremont.

The Department respectfully requests access to any and all information the District may have in its files which could potentially aid in our investigation. The importance of this investigation can not be overstated: the health of the environment and public is at stake. Further, the manner with which the foundry sands are ultimately treated and/or disposed must reflect applicable state and federal laws and regulations. Proper application of such laws and regulations is based upon knowledge of the foundry sand's hazardous constituents.

Greg Soloman
RE: 7825 San Leandro Street, Oakland
March 19, 1991
Page 2 of 2

I anticipate that I will be at the District office on Thursday, March 21, arriving in the late morning. Please call me should you have any questions or require any additional information.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Scott O. Seery', with a long horizontal flourish extending to the right.

Scott O. Seery, CHMM
Hazardous Materials Specialist

cc: Rafat A. Shahid, Assistant Agency Director, Environmental Health
Edgar Howell, Chief, Hazardous Materials Division
Gil Jensen, Alameda County District Attorney's Office
Elizabeth Stowe, City of Fremont
files

TO: Scott



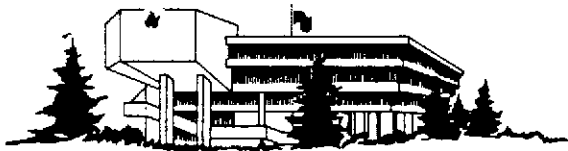
City of Fremont
Hazardous Materials Division
39572 Stevenson Place, Ste. 125
Fremont, CA 94539-3075
Phone (415) 791-4279

WE ARE PLEASED TO SEND YOU THE ATTACHED MATERIAL FOR YOUR INFORMATION.
IF YOU HAVE ANY QUESTIONS, PLEASE FEEL FREE TO CONTACT OUR OFFICE.

SIGNED Junda

DATE 3/18/91

COMMENTS: Sobek information as requested



91 MAR 19 AM 10:18

City of Fremont

Public Works Department
Hazardous Materials Division
39572 Stevenson Place, Suite 125
Fremont, California 94539 - 3075

(415) 791-4279

March 15, 1991

Mr. Dale Sobek
6000 S Corporation
42080 Osgood Road
Fremont, CA 94538

CERTIFIED MAIL# P 428 494 431

RE: 6000 S CORPORATION, 6000 STEVENSON BOULEVARD

Dear Mr. Sobek:

Thank you for the March 13, 1991 submittal of the Draft Work Plan entitled "Proposal for Soil Remediation Action Program, 6000 Stevenson Boulevard, Fremont, California" prepared by Roy F. Weston, Inc. on behalf of 6000 S Corporation. You indicated the purpose of this proposal is to construct and manage an on-site bioremediation treatment system for approximately 1000 cubic yards of contaminated soil. All technical work plans and reports require the signature of a California-Certified Engineering Geologist, a California-Registered Geologist or a California-Registered Civil Engineer; please supply such a signature for this draft Work Plan. An approved Work Plan must be based on certified data, but you have not provided such a certified background reports.

As you know the Alameda County Water District is the lead agency responsible for soil and groundwater investigations, therefore this proposal, as well as the Final Report documenting the Site Characterization Investigation must be submitted for their review and approval. On August 13, 1990 the Environmental Protection Division (EPD) formally notified you to submit all copies of correspondence, work plans and/or reports to (1) the Regional Water Quality Control Board, (2) Alameda County Water District, (3) Alameda County Environmental Health and (4) the EPD for agency comment. Please be aware time delays are likely to occur when proper submittal protocol is not followed.



March 15, 1991
6000 S Corporation
Page 2

Please feel free to contact me, if you wish to arrange a meeting to discuss this matter in greater detail.

Sincerely,

A handwritten signature in cursive script, reading "Linda S. Vrabel".

LINDA S. VRABEL
Hazardous Materials Specialist

cc: Lester Feldman, Regional Water Quality Control
Jill Duerig, Alameda County Water District
Paulette Garcia, City of Fremont
Janet Harbin, City of Fremont
Ruby Wun, City of Fremont
Gil Jensen, Alameda County District Attorney's Office
Scott Seery, Alameda County Environmental Health



City of Fremont

Public Works Department
Hazardous Materials Division
39572 Stevenson Place, Suite 125
Fremont, California 94539 - 3075

(415) 791-4279

March 12, 1991

Mr. Dale Sobek
42080 Osgood Road
Fremont, CA 94539

RE: 6000 STEVENSON BOULEVARD

Dear Mr. Sobek:

Thank you for dropping off a copy of the "DRAFT Pending Technical Review Site Characterization Investigation" from Harding Lawson Associates, dated November 6, 1990. Your cooperation in this matter is appreciated. The Environmental Protection Division (EPD) remains committed to protecting the community and we look forward to continued progress in the cleanup of your site at 6000 Stevenson Boulevard.

The EPD would like to cooperate with you as much as possible, but please remember, there are other regulatory agencies that are also actively involved regarding the environmental concerns at this site. For example, the lead agency regarding the groundwater contamination at this site is the Alameda County Water District (ACWD) and Alameda County is the lead agency regarding the hazardous wastes (foundry sand) that has been improperly disposed of at this site.

I am returning the referenced report with this letter. As we have discussed previously, all technical reports documenting environmental investigations require the signature of a California registered qualified specialist. However, the information in this draft report was interesting and we look forward to receiving the final report.

Sincerely,

ELIZABETH STOWE
Environmental Protection Division

cc: Paulette Garcia, City of Fremont Attorney's Office
Scott Seery, Alameda County Environmental Health Department
Gil Jensen, Alameda County District Attorney's Office
Larry E. Lulofs, Morton, Lulofs & Allen
Gregory L. Fasiano, Harding Lawson



Bay Area Air Quality Management District**ENFORCEMENT SERVICES****FAX Message / Transmittal Sheet****DATE:**

3-12-91

TO:

SCOTT SEERY

OF:

ALAMEDA HEALTH DEPT.

FROM:

WILL TAYLOR

BAAQMD Voice phone: (415) 771-6000 ext. _____

Call this number if you are experiencing transmission problems.

MESSAGE:ENGINEER FOR PLANT#62
IS GREG SOLOMON

ph 771-6000 x 182

Will Taylor x170

**PAGES TO
FOLLOW:**

3

TO FAX Replies to this Message, Breakdowns, Excesses, Soil,
Tank and Asbestos Notifications: (415) 928-0338 (FAX)**ALL OTHER BAAQMD BUSINESS:**

(415) 928-8560 (FAX)

list Detail & Inventory for PLANT # >> 62

Plant number 62
Business name American Brass and Iron Foundry
Location address 7825 San Leandro St
City Oakland, CA 94621
Telephone (415) 632-3467
Mailing address 7825 San Leandro St
City Oakland, CA 94621
Principal product Pipe, fittings (iron)
Parent company
Contact Ewald Schmidt
Title Plant Mgr
Address 7825 San Leandro St
City Oakland, CA 94621
Telephone (415) 632-3467
Permit engr, current ... Gregory D Solomon (1022)
Permit engr, former ... Donald P Van Buren (435)
Inspection Area # ... 120 - Beth Farmer (553)
Inspection Materials ... 02/08/91
Ownership type Private
Number of employees ... 199
Property area, acres ... 8
Inside city limits ... Yes
Permit month 3

Emissions computed on .. MAR 9, 1991

Particulate	19.69	tons/year	107.87	lbs/day
Organics	116.71	tons/year	639.50	lbs/day
Nitrogen Oxides	51.73	tons/year	283.43	lbs/day
Sulfur Dioxide	78.45	tons/year	429.89	lbs/day
Carbon Monoxide97	tons/year	5.33	lbs/day

Sources by Type

Abatement devices 5
Fuel combustion 6
General source 6
Loading/handling 0
Surface coaters 2
Organic solvent 1
Tankage 2

Total sources 17
Compliance inspections . 19

Plant# 62
American Brass and Iron Foundry

Curr, Arch, Fut? c
Pl, S, or AD? pl

Sources:

- 1 Cupola
MTGL/SEC> Cupola furnace, Burns Coke, 80MM BTU/hr max
- 2 Vibrating Tubular Shakeout
Misc MTGL/PRI, Gravel/sand, 143 tons/hr max, 4 days/wk
- 3 SAND MULLER
MTGL/SEC> Sand handling, Gravel/sand, 120 tons/hr max
- 4 WHEELABRATOR SHOT BLAST CLEANING MACHINE
MTGL/SEC> Cleaning, chemical, Gray iron, Gravel/sand
- 5 SHOT BLAST CLEANING MACHINE
MTGL/SEC> Cleaning, chemical, Gray iron, Gravel/sand
- 62 SHOT BLAST CLEANING MACHINE
- 7 AUTOMATIC POURING FURNACE
Metal Melting Furnace, 1500K BTU/hr max, Natural gas
- 8 AUTOMATIC POURING FURNACE
Metal Melting Furnace, 1500K BTU/hr max, Natural gas
- 9 AUTOMATIC POURING FURNACE
Metal Melting Furnace, 1500K BTU/hr max, Natural gas
- 10 AUTOMATIC POURING FURNACE
Metal Melting Furnace, 2MM BTU/hr max, Natural gas
- 11 FECOR CUPOLA HOT BLAST
Metal Melting Furnace, 13700K BTU/hr max, Multifuel
- 12 PIPE OVEN
- 13 DIP TANK
Dipping, 30K gal/yr solvent, Multi-coatings
- 14 DIP BARREL
Dipping, 20.35 gal/yr solvent, Asphalt, Asphalt emulsion
- 15 8000 GAL. SOLVENT STORAGE TANK
Underground tank, 8K gal, Trichloroethane, 1,1,1-, Hydrocarbon
- 16 500 GAL GASOLINE TANK (UST?)
- 17 12000 GAL STORAGE TANK
Fixed roof tank, 12K gal, Aluminum, Asphalt, 12 ft diam
- 18 GAS DISPENSOR FOR #16
- 19 GASOLINE DISPENSING ISLAND
Service Station G6323, 1 gasoline nozzles, Vehicle
- 20 Cold Cleaner
Solvent cleaning, 120 gal/yr net solvent, 59 deg F
- 21 Sand Cooler
MTGL/SEC> Sand handling, Gravel/sand, 120 tons/hr max, 4 days/wk

WHEELABRATOR SHOT BLAST

Abatement Devices:

- 1 BAGHOUSE
Baghouse, Shaking
- 6 WET SCRUBBER
Scrubber
- 7 Hydro-Static Precipitator or Scrubber *particulates*
- 8 Afterburner
Direct Flame Afterburner
- 9 Aspirated Cartridge Dust Collector
Absolute Dry Filter

MAR 12 '91 14:09

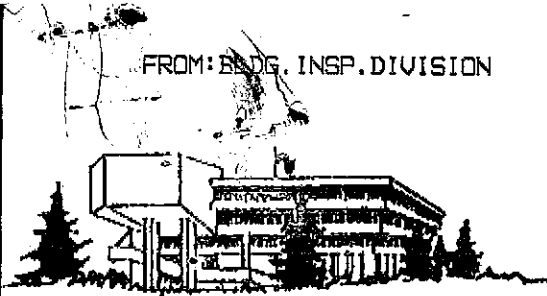
PAGE.004

MAR-12-1991 14:15

B A A Q M D / ENF. SUCS.

MAR 12 '91 14:09

P.05
DOCUMENT JAM
PAGE.005

**City of Fremont**

39700 Civic Center Drive
P.O. Box 5006
Fremont, California 94537

FAX TRANSMITTAL SHEET

FAX NUMBER: 415/791-4143

DATE: 3-12-91TIME: 11:00ATTENTION: Scott SeeryCOMPANY: ACE HDFROM: Linda VrobelTOTAL NUMBER OF PAGES SENT INCLUDING COVER SHEET: 3IF YOU DO NOT RECEIVE ALL PAGES, PLEASE CONTACT THE SENDER AT 791-4279

February 27, 1991

City Clerk's Office
City of Fremont
39100 Liberty Street
Fremont, CA 94537

RE: 6000 S Corporation (E.I.R.-87-85, GPA-87-17, Z-88-1,
P-90-18)

Gentlemen:

This is to notify you that 6000 S Corporation will appeal the Planning Commission decision on the above referenced subjects.

E.I.R.-87-85

~~Human Health & Safety
Para. 1~~

Appealed as this is not typical in similar environmental matters. The action restricts applicant's income to complete environmental work. The site is now operated as a retail site and there are no public hazards.

Traffic & Circulation,
Para. 3 - Mitigation

Applicant has already paid his share of those costs with reduced traffic uses, street dedications and installation of new accesses.

Para. 9 & 10

Fire service will actually be improved by a new street to Stewart, which will be put in at applicant's cost.

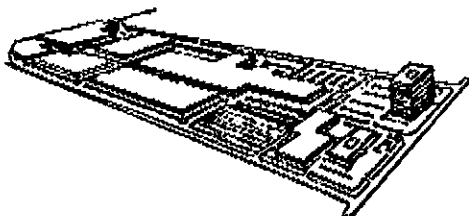
Cultural Resources,
Para. 12

Utilities trenching should not be considered subsurface excavation. Add to this mitigation measure.

GPA-87-17

Other Traffic Mitigation
Measures & Fees

This applicant has already incurred more than his share of traffic costs including: street dedications, new

**6000 S CORPORATION**

6000 STEVENSON BOULEVARD

FREMONT, CALIFORNIA 94538

(415) 657-7633

GPA-87-17, Cont'd

Z-88-1, P-90-18

Hazardous Materials

road installation, loss of income due to restricted uses. Further costs to him would be an abuse of his rights as a property owner.

Continued development must be allowed by applicant to defray costs of cleanup. No restriction in effect now or in the past.

EPD has a personal vendetta against applicant. EPD is not acting in the best interests of the public by restricting development of Powerhouse Gym, Teen Center, Thomas Bros., etc.

Cleanup costs to date are \$400,000, with only two items left to be completed.

Lawsuits against American Brass and Cal Oil have been filed to assist in cleanup costs. Bad faith negotiations by the City of Fremont, have impaired more rapid resolution of these matters.

Unacceptable Conditions,
Para. 5

This should be restricted to "any new structures not covered by the P-90-18 uses". If any structures require approval, why the Planned District?

Para. 8

Add as of the date of this approval.

Para. 10

Waive: This is covered in and part of the E.I.R. Burrowing owls are not an endangered species.

Para. 14

Applicant does not understand. Not approved prior to understanding.

Para. 16

Add "in areas of new construction only". Site plans and landscaping plans have been submitted.

Para. 17

Same as Para. 16

6000 I Corporation

42080 OSGOOD ROAD
FREMONT, CA 94538
(415) 657-7633

March 11, 1991

Ms. Elizabeth Stowe
City of Fremont
Hazardous Materials Division
39572 Stevenson Place, Suite 125
Fremont, CA 94539-3075

RE: Disposal Air Vents and Chemicals

Dear Ms. Stowe:

Enclosed please find a copy of Security Environmental Systems, Inc. shipping documents for ~~one drum of air-conditioning vents~~, which we dismantled, cut into small pieces and loaded in an over pak drum.

In addition, ~~9 drums of chemicals 6 solid and 3 liquid were removed.~~ This represents all of the chemicals in my possession. This includes all of the R & D materials I was going to retain for my consulting work.

A complete report will follow when I receive the final billing from S.E.S., Incorporated.

If you have any questions please let me know.

Sincerely,


Dale W. Sobek
President

FAX 791-4143

DWS:j

Enc: (2)

SECURITY ENVIRONMENTAL SYSTEMS, INC.
7245 D GARDEN GROVE BLVD.
GARDEN GROVE, CA. 92641

(800) 448-0557

(213) 431-8484

WORK ORDER

SALESMAN #
ACCT #

DATE : 2 / 20 / 91

CUST. NAME # DALE SOBEK PRINTING INC.
4000 STEVENSON BLVD.
FREMONT, CA 94538

CONTACT # DALE SOBEK

PHONE # 415 ~~671-7632~~

WORK REQUESTED :

~~4 55 GALLON DRUM LIQUID RESIN~~
~~6 55 GALLON DRUM SOLID WASTE~~

TAKE 4 OVERPACKS MAY BE NEEDED

DATE REQUESTED: ASAP

TIME IN

TIME OUT

3:30

PICKED UP

DELIVERED

9x55

DRUMS/CONTAINERS

BULK LIQUID WASTE

1 DRUM CONTAINS AIR-CONDITIONING VENT

OTHER

TRUCK NUMBER #

20

DREW SOBEK

BY SIGNING THIS WORK ORDER CUSTOMER UNDERSTANDS AND AGREES THAT IF CUSTOMER'S ACCOUNT IS PAST DUE _____ DAYS OR LONGER THAT CUSTOMER'S ACCOUNT WILL BE PLACED ON A C.O.D. BASIS UNTIL PAYMENT ON ALL AMOUNTS IN ARREARS ARE RECEIVED BY SES. SES RESERVES THE RIGHT TO DISCONTINUE SERVICE TO CUSTOMER. CUSTOMER UNDERSTANDS AND AGREES THAT IF IT BECOMES NECESSARY FOR SES TO TAKE LEGAL ACTION TO COLLECT MONIES OWED SES BY CUSTOMER, THAT CUSTOMER WILL BE RESPONSIBLE FOR LEGAL AND COURT COSTS INCURRED BY SES FOR THE COLLECTION OF THE AMOUNTS DUE SES.

CUSTOMER

SES SIGNATURE

DATE:

IMPORTANT
FEB 21 1991

**UNIFORM HAZARDOUS
WASTE MANIFEST**

1. Generator's US EPA ID No.

Manifest
Document No.2. Page 1
of 6Information in the shaded areas
is not required by Federal law.

3. Generator's Name and Mailing Address

6000 S CORPORATION

42080 OSGOOD ROAD

FREMONT, CA 94538

4. Generator's Phone (415) 657-7633

(415) 657-7633

5. Transporter 1 Company Name

US EPA ID Number

7. Transporter 2 Company Name

US EPA ID Number

9. Designated Facility Name and Site Address

US EPA ID Number

CHIEF SUPPLY CORP.

RT 2 BOX 71

HACKBELL, OR 97446

A. State Manifest Document Number

90303252

B. State Generator's ID

C. State Transporter's ID

113650

D. Transporter's Phone

714 897-6645

E. State Transporter's ID

F. Transporter's Phone

G. State Facility's ID

H. Facility's Phone

913 582-3271

11. US DOT Description (Including Proper Shipping Name, Hazard Class, and ID Number)

12. Containers

13. Total
Quantity14. Unit
Wt/Vol

1. Waste No.

a. WASTE RESIN SOLUTION, FLAMMABLE LIQUID UN1866

No. Type

003

00495

657-7633

b. HAZARDOUS WASTE SOLID, N.O.S. ORU-E NA9189

No. Type

006

00495

G

c.

d.

J. Additional Descriptions for Materials Listed Above

K. Handling Codes for Wastes Listed Above

a) SYNTHETIC RESIN (POLYPROPYLENE GLYCOL BLEND)

b) WASTE SOLIDS

16. Special Handling Instructions and Additional Information

WEAR GLOVES, GOGGLES PROTECTIVE CLOTHING CONTACT: DALE SOBEK 415-657-7633

24 HOUR EMERGENCY RESPONSE COUNCIL 2 CALL CHEMTREC AT 1-800-424-9300

18

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

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

Printed/Typed Name

Signature

Month Day Year

17. Transporter 1 Acknowledgement of Receipt of Materials

Printed/Typed Name

Signature

Month Day Year

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

Signature

Month Day Year

IN CASE OF AN EMERGENCY OR SPILL, CALL THE NATIONAL RESPONSE CENTER 1-800-424-9302; WITHIN CALIFORNIA CALL 1-800-952-7550

Do Not Write Below This Line

YELLOW: GENERATOR RETAINS

FEB 21 1991



City of Fremont
CALIFORNIA

memorandum

March 10, 1991

Ruby Wun

RE: RESPONSES TO SOBEK LETTER DATED FEBRUARY 27, 1991

Report for P-90-18

(6 & 16-19)

On March 4, 1991, Mr. Sobek provided the Environmental Protection Division (EPD) staff the opportunity to review the DRAFT REPORT entitled "Site Characterization Investigation, 6000 Stevenson Boulevard, Fremont, California" prepared by Harding Lawson Associates on November 6, 1990 on behalf of 6000 S Corporation. Based on the contents of this report, the EPD has agreed to the proposed leases associated with Powerhouse Gym, the Teen Entertainment Center and Thomas Brothers, Inc., as well as other potential leases on all existing buildings. Prior to the occupancy of Building 1/1A all contaminated duct work shall be disposed of in accordance with applicable hazardous waste regulations. Copies of the manifest documentation shall be submitted to the EPD verifying appropriate disposition.

Past landuse practices have negatively impacted groundwater with petroleum hydrocarbons, toluene and xylene in the vicinity of the existing Home Depot structure. Based on the data in the DRAFT REPORT, further investigation, cleanup and long-term monitoring will be mandated at this site. Groundwater contamination is a very serious matter especially as the State of California is

MAR 19 AM 10:14

experiencing severe restrictions in water usage as a result of the five year drought. The Alameda County Water District provides approximately 50% of Fremont's water consumption from underground aquifers.

Further development of this site must not adversely affect the implementation of an effective soil and groundwater cleanup program.

Thank you for allowing me the opportunity to comment.

Sincerely,

Linda S. Vrabel

LINDA S. VRABEL
HAZARDOUS MATERIALS TECHNICIAN

cc: Janet Harbin
Paulette Garcia

REC'D MAR 04 1991

6000 I Corporation

42080 OSGOOD ROAD
FREMONT, CA 94538
(415) 657-7633

March 1, 1991

Ms. Ruby Wun, Assistant Planner
City of Fremont
39700 Civic Center Drive
PO Box 5006
Fremont, CA 94537


Dear Ms. Wun:

Enclosed are three copies of the letter I was going to send to Bob Carlson prior to him relating to me, that our project was on the City Council March 12, 1991 agenda.

These letters are being sent to you to distribute to the responsible people.

Please note the last paragraph where I recommend E.I.R. approval and approval of the three existing uses, and the recommendation to refer all other items to staff, so we can resolve the open issues for mutual benefit.

Sincerely



Dale W. Sobek
President

DWS:g

Encls. (3)

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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

March 1, 1991

Mr. Larry Luloff, Esq.
Morton, Luloff, & Allen
1 Kaiser Plaza, Suite 750
Ordway Building
Oakland, CA 94612

RE: 6000 S CORPORATION

Dear Mr. Luloff;

This letter will serve to summarize the more important topics discussed during our telephone conversation February 25, 1991. As I indicated during our discussion, this Department prefers having you serve as our contact for keeping abreast of the progress of site investigation and clean-up, as well as the status of any lawsuits pending with former tenants at 6000 Stevenson Boulevard.

You indicated that negotiations seeking resolution to your lawsuit with the American Brass and Iron Foundry Company (ABIFC) have begun, and that an on-site meeting with representatives of this firm and that of Reed & Graham, Inc., originally planned for the week of February 17, has been postponed until a (yet unknown) future date. As I understand the facts, this meeting is to discuss the scope of work and sharing of costs with ABIFC. I further understand that the cost of the Reed & Graham, Inc. treatment proposal is in the neighborhood of \$90K.

You said that availability of funds was the factor limiting Mr. Sobek's ability to pursue the transport and treatment of the foundry sand. You indicated that if approval were granted "today" by this Department for Reed & Graham's proposal to transport and treat the foundry sands, this sand would be transported off-site within a "couple of days", if sufficient funding were available; conversely, you indicated that without such funding, there was no telling how long it would take to resolve this issue.

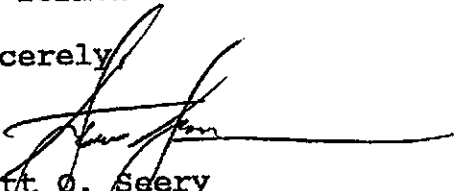
You further indicated that currently there are three potential tenants willing to rent areas of the site which, if allowed by the City of Fremont to do so, would generate as much as \$34K per month in rents. You claimed that this money would then be available to fund the site clean-up. Your client's inability to obtain rental income due to the City of Fremont's environmental health concerns should not limit his ability to secure appropriate loans for this work. I suggested that you attempt to secure a loan from a lending institution using Mr. Sobek's real estate holdings as collateral.

Mr. Larry Luloff
RE: 6000 S Corp., 6000 Stevenson Blvd.
March 1, 1991
Page 2 of 2

Lastly, I reminded you that this Department requires the remittance of a deposit to cover costs incurred by the county in oversight of this project. The required deposit, first referenced in correspondence from this Department dated January 31, 1991, is \$1340. Please remit payment within 10 days, or by March 11. Failure to remit this deposit may result in the assessment of treble penalties.

Should you have any questions, please feel free to contact me at 415/271-4320. Please also keep me apprised of your negotiations with the former tenants of the subject site.

Sincerely,



Scott O. Seery
Hazardous Materials Specialist

cc: Rafat A. Shahid, Assistant Agency Director, Environmental Health
Edgar Howell, Chief, Hazardous Materials Division
Gil Jensen, Alameda County District Attorney's Office
Howard Hatayama, DHS
Lester Feldman, RWQCB
Jill Duerig, ACWD
Paulette Garcia, City of Fremont Attorney's Office
Elizabeth Stowe, City of Fremont Hazardous Materials Bureau
Bob Eppstein, City of Fremont Building and Safety Department
Ann Draper, City of Fremont Planning Department
Janet Harbin, City of Fremont Planning Department
Gary DiMercurio, City of Fremont Planning Commission
Dale Sobek, 6000 S Corp.
files

Morton, Lulofs & Allen

ROGER F. ALLEN
MICHAEL CHARLES COMYNS
LARRY E. LULOFS
KAREN D. MARCUS
WILLIAM R. MORTON
G. GEOFFREY WOOD

ATTORNEYS AND COUNSELORS AT LAW
ONE KAISER PLAZA, SUITE 750
OAKLAND, CALIFORNIA 94612

TELEPHONE
(415) 444-5521

FACSIMILE
(415) 444-8263

TELECOPY TRANSMITTAL COVER SHEET

TO: Paulette B. Garcia, Deputy City Atty.
CITY OF FREMONT - CITY ATTORNEY'S OFFICE

[YOUR FAX NO: (415) 657-8010]

FROM: Larry E. Lulofs, Esq.
MORTON, LULOFS & ALLEN

[OUR FAX NO: (415) 444-8263]

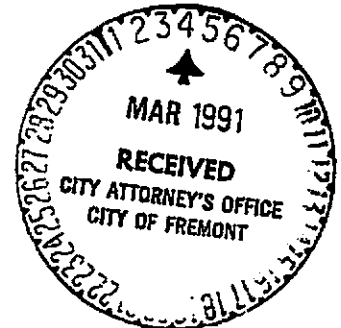
DATE: February 28, 1991

RE: Sobek, Dale/6000 S Corporation

TOTAL NUMBER OF PAGES: 3 (Including this cover sheet)

COMMENTS:

IF YOU DO NOT RECEIVE ANY PART OF THIS TRANSMISSION
OR ARE UNABLE TO READ ANY OF THE PAGES, PLEASE
CONTACT OUR OFFICE AT (415) 444-5521)



91 MAR 19 11:10:14

Morton, Lulofs & Allen

ROGER F. ALLEN
MICHAEL CHARLES COMYNS
LARRY E. LULOFS
KAREN D. MARCUS
WILLIAM R. MORTON
G. GEOFFREY WOOD

ATTORNEYS AND COUNSELORS AT LAW
ONE KAISER PLAZA, SUITE 750
OAKLAND, CALIFORNIA 94612

TELEPHONE
(415) 444-5521

FACSIMILE
(415) 444-8263

February 28, 1991

BY FACSIMILE

Paulette B. Garcia
Deputy City Attorney
CITY OF FREMONT - CITY ATTORNEY'S OFFICE
P. O. Box 5006
Fremont, California 94537

RE: DALE SOBEK/6000 S CORPORATION
Our File: 042.1el

Dear Ms. Garcia:

This is a follow-up to our recent meeting and telephone discussion. As you are aware, my client is vitally interested in being permitted to develop the property in accordance with the amended plan which has been submitted to the City of Fremont. We understand the City's concern that environmental problems at this site be corrected. Mr. Sobek is committed to remediation of these environmental problems, but of course the difficulty is financing. The City's imposition of full environmental clean-up as a condition precedent to further leasing and development operates as a "catch 22," frustrating development and, at the same time, making it impossible for my client to cure the environmental problems.

6000 S Corporation proposes the following solution to this dilemma:

1. The City will approve the plan for construction of a 100,000 square foot commercial building on parcel 1.
2. Upon issuance by the City of a permit for construction of the parcel 1 building, 6000 S Corporation will secure financing from its construction lender sufficient to permit removal of all hazardous wastes, including particularly the foundry sands, from parcel 6.
3. The City will approve the leases and construction permits for the Powerhouse Gym, Teen Entertainment Center, and Thomas Brothers, Inc., and other potential leases on existing buildings.

Paulette B. Garcia
DEPUTY CITY ATTORNEY
February 28, 1991
Page 2

4. From the revenue stream for the approved leases, 6000 S Corporation will earmark \$5,000.00 per month for remediation of the remaining hazardous wastes, to wit, the hydrocarbons. The monthly sum of \$5,000.00 will be separated into an interest-bearing account at a bank to be identified by 6000 S Corporation, with the funds to be expressly targeted for remediation of these wastes.

5. Remediation of the hydrocarbons on the property shall occur at the earliest possible juncture, consistent with the financial assets of 6000 S Corporation, taking into consideration the dedicated fund for that purpose from the lease revenue stream, and also the possibility of settlements with American Brass and California Oil Recyclers, as well as with insurers for 6000 S Corporation.

6. 6000 S Corporation will keep the City of Fremont advised of all significant developments in its lawsuit against the responsible defendants, and will inform the City of any offers of settlement from these defendants.

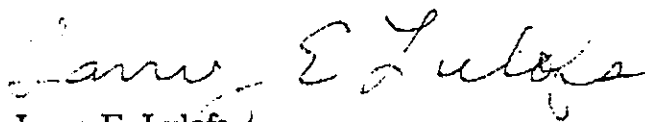
Mr. Sobek will deliver today a copy of the Harding-Lawson report. We ask that you share this report with Elizabeth Stowe, but that you do not disseminate it to others, out of our concern that the report has not yet been paid for and should not be widely disseminated.

Please review this proposal with Ms. Stowe, the City Attorney, and any other appropriate officials, and advise us at your earliest juncture possible whether this proposal is acceptable to the City of Fremont. As you know, time is of the essence, and we must have a reply before March 12, 1991.

Thank you very much.

Very truly yours,

MORTON, LULOFS & ALLEN


Larry E. Lulofs

LEL:pcl

February 27, 1991

City Clerk's Office
City of Fremont
39100 Liberty Street
Fremont, CA 94537

RE: 6000 S Corporation (E.I.R.-87-85, GPA-87-17, Z-88-1,
P-90-18)

Gentlemen:

This is to notify you that 6000 S Corporation will appeal the Planning Commission decision on the above referenced subjects.

E.I.R.-87-85

~~Human Health & Safety
Para. 1~~

Appealed as this is not typical in similar environmental matters. The action restricts applicant's income to complete environmental work. The site is now operated as a retail site and there are no public hazards.

Traffic & Circulation,
Para. 3 - Mitigation

Applicant has already paid his share of those costs with reduced traffic uses, street dedications and installation of new accesses.

Para. 9 & 10

Fire service will actually be improved by a new street to Stewart, which will be put in at applicant's cost.

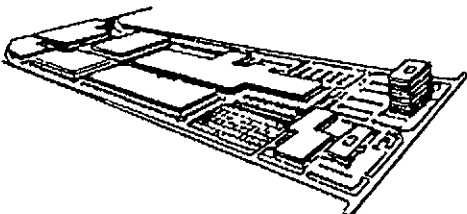
Cultural Resources,
Para. 12

Utilities trenching should not be considered subsurface excavation. Add to this mitigation measure.

GPA-87-17

Other Traffic Mitigation
Measures & Fees

This applicant has already incurred more than his share of traffic costs including: street dedications, new



6000 S CORPORATION

6000 STEVENSON BOULEVARD

FREMONT, CALIFORNIA 94538

(415) 657-7633

GPA-87-17, Cont'd

Z-88-1, P-90-18

Hazardous Materials

road installation, loss of income due to restricted uses. Further costs to him would be an abuse of his rights as a property owner.

Continued development must be allowed by applicant to defray costs of cleanup. No restriction in effect now or in the past.

EPD has a personal vendetta against applicant. EPD is not acting in the best interests of the public by restricting development of Powerhouse Gym, Teen Center, Thomas Bros., etc.

Cleanup costs to date are \$400,000, with only two items left to be completed.

Lawsuits against American Brass and Cal Oil have been filed to assist in cleanup costs. Bad faith negotiations by the City of Fremont, have impaired more rapid resolution of these matters.

Unacceptable Conditions.
Para. 5

This should be restricted to "any new structures not covered by the P-90-18 uses". If any structures require approval, why the Planned District?

Para. 8

Add as of the date of this approval.

Para. 10

Waive: This is covered in and part of the E.I.R. Burrowing owls are not an endangered species.

Para. 14

Applicant does not understand. Not approved prior to understanding.

Para. 16

Add "in areas of new construction only". Site plans and landscaping plans have been submitted.

Para. 17

Same as Para. 16

Para. 19

Add low pressure sodium or equal as new technology makes lower cost fluorescents available at lower energy use.

Para. 21

Waive. This a single property owner. No CC & R's exist. This item is covered in old and new lease documents, between applicant and his lessees.

Para. 23

Omit. This is a property owners right. Safety is a major issue on site, and unless the city will provide the applicant with a hold harmless, this can not be agreed to.

Para. 26

Waive. This has been provided in the E.I.R.

Para. 28

Applicant will not agree to any unknown cost to be assessed by any agency. This is an infringement on property owner rights.

Para. 29

Waive. There are no longer any hazard materials on site.

Para. 30 & 31

This is not possible for the same reasons stated in E.I.R., Para. 1, page 1. If the applicant's income sources are restricted so is his ability to do the cleanup.

Para. 33

Same response as #2, E.I.R.-87-85, page 1

Para. 35

Waive. Applicant will not file a final subdivision public report.

Para. 36

Waive for present owner. I will agree to impose this on any future owners who may acquire the entire property.

Para. 37

Waive. This is already covered by the parcel map. So it is a duplication of effort.

Para. 40

Waive. Installation of a new road to Stewart will reduce Fire Department time and facilitate service.

Para. 41

Exclude utility trenching as part of subsurface excavation.

At the Planning Commission meeting, an appeal was loudly and specifically called for by this applicant, who was told by R. Carlson, that this appeal would be heard Tuesday, March 12, 1991.

Because of the many minor issues that should be able to be negotiated by serious, dedicated, intelligent people, I recommend the City Council certify the E.I.R. and waive the requirement for environmental cleanup prior to any future development, and allow occupancy by Powerhouse Gym, Teen Center and Thomas Bros. and refer all other items to the staff with a 90 day provision to resolve the open issues.

Sincerely,



Dale W. Sobek
President

DWS:j

February 4, 1991

91 FEB -7 AM 11:29

Mr. Scott O. Seery
Haz Mat Specialist
Alameda County Health Care Services
80 Sloan Way, Room 200
Oakland, CA 94621

RE: 6000 Stevenson Blvd. - Case Referral

Dear Mr. Seery:

This will confirm receipt of your letter dated January 31, 1991, affirming your agency having primary jurisdiction of the 6000 Stevenson site.

Before I respond to your requests and doubts, I wish to comment on Linda Vrabel's January 10, 1991 letter:

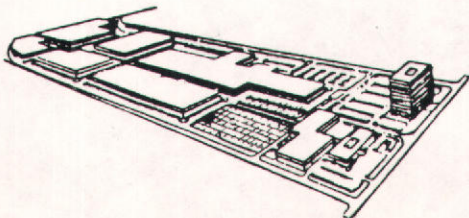
First - Chemicals:

I had wanted to retain some urethane chemicals in inventory to support my chemical consulting activity. It became such a hassle, I decided to dispose of all the remaining materials on site. At this time, I am awaiting word from Erickson to pick these materials up and dispose of them as required by law.

Second - Foundry Sand:

I was compelled to concentrate this material into one uniform pile so that we could accurately determine the volume in order to obtain accurate costs for removal. NONE OF THIS MATERIAL HAS BEEN REMOVED FROM THE SITE. The Foundry Sand was not moved until the City of Fremont was notified. The photos submitted should obviate the benefit and safety of concentrating this material.

I have filed a law suit against American Brass (sand) and California Oil Recyclers (oil & hydrocarbons). My attorney, Larry Lulofs, ~~555-4421~~, will send you copies of this suit at your request. 444-5521



6000 S CORPORATION

~~6000 STEVENSON BLVD~~
42080 OSGOOD ROAD

FREMONT, CALIFORNIA ~~94538~~
94539

(415) 657-7633

Mr. Scott O. Seery
Alameda County Health Care Services

February 4, 1991
Page 2

Frankly, the City of Fremont has mischaracterized my efforts in numerous writings. I am moving as rapidly as I can with the resources I have available. The wells are sealed. The chemicals are gone! The 10,000 gallon tank is gone! Harding Lawson and Associates has completed there site characterization, but are holding the final report until I send them \$15,000, which I do not have.

The Foundry Sand is ready for removal. I hope my lawsuit against American Brass will expedite that issue.

The only remaining issue is the soil contamination in the Home Depot lot.

Concerning your letter and the questions posed:

The aerial photos mentioned have been misinterrupted. Last month, I thought we cleared that issue with regard to activity at the Home Depot site.

The activity in the photos was storage of compacted insulation material generated by Polymir Industries.

I have a copy of the draft completed in December by Harding Lawson. At your request, I will copy my material for you since I can not guarantee when the final will be sent to me.

If you plan to be in Fremont, I would like to meet you at the site to review the progress to date, and to outline my plans for the next quarter. If this is not acceptable, I can arrange to have all future dealings handled by my attorney, Mr. Lulofs.

My concern is that we have a compatible approach to the resolution of this problem instead of an adversarial relationship that seems to be the rule in the Hazard Material Industry.

My goal is to complete the cleanup of this site as expeditiously and reasonably within the framework of my financial condition.

Please tell me if you prefer to work directly with me to effect the above goal, or if you prefer to work with me thru my attorney.

Sincerely



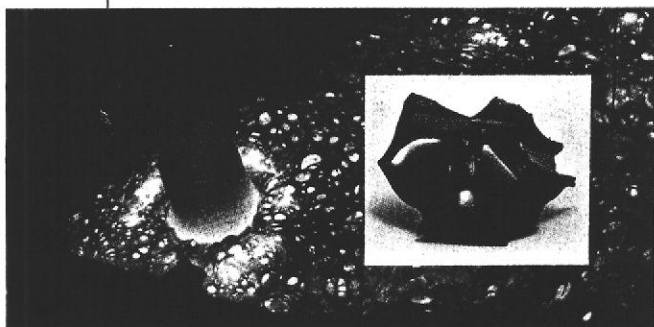
Dale W. Sobek
President

DWS:g

cc: Larry Lulofs, Esq.

Encl. (1)

P.S. Enclosed is an interesting article on disposing of organic wastes.



Electrode melts contaminated soil, which turns to glassy material (inset).

Electrifying Soil Vitrifies Toxic Waste

A Kirkland, Wash., company has a new treatment to clean up hazardous wastes. Using technology developed by Department of Energy researchers, Geosafe Corp. electrifies contaminated soils into a harmless, glassy, rocklike material that can be left safely in the ground. Called in situ vitrification, the process involves burying electrodes deep in the ground around the contaminated site. Running enough electricity through them in one hour to power 2½ homes for roughly a month, the system heats 5 tons of soil and contaminants to 3,500 degrees Fahrenheit, turning the soil into a molten mass. In the process, organic wastes such as dioxin and PCBs are burned off. The ground, hardening as it cools, entombs heavy metals and other inorganic toxins in an obsidianlike mass.

The company will run its first "melt" at a government Superfund site near Spokane in late January. The site, about the size of a basketball court and 12 feet deep, contains some 2,680 tons of contaminated soil and will take six to eight weeks to treat at a cost of almost \$1 million, or \$350 a ton. By comparison, incineration of hazardous wastes can run \$300 to \$2,000 a ton, not including the cost of digging up the material and transporting it to an incinerator.



Certified Mailer # P 062 128 354

January 31, 1991

Mr. Dale Sobek
6000 S Corporation
42080 Osgood Road
Fremont, CA 94539

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

RE: CASE REFERRAL; 6000 S CORPORATION, 6000 STEVENSON BOULEVARD,
FREMONT

Dear Mr. Sobek:

For your information, this Department has primary jurisdiction for enforcement of the California Hazardous Waste Control Act, as codified in Chapter 6.5 of the state Health and Safety Code. Over the course of the last two years, this Department has been monitoring your progress in satisfying the requirements of the City of Fremont, Alameda County Water District, and San Francisco Bay Regional Water Quality Control Board (RWQCB) which deal with a multitude of hazardous materials and hazardous waste issues, and the ongoing environmental investigations associated with this site.

Please be informed that, based upon our evaluation of your past compliance efforts, as well as upon a request from the City of Fremont, this Department will now assume lead responsibility for the proper disposition of, and the cleanup of any potential impacts resulting from, the approximate 2500 yards³ of foundry sand currently stockpiled on site, east of Building 1. Our future oversight may not be limited to this waste stream alone, but may be inclusive of any and all hazardous waste issues related to this site, as such issues are referred to this Department from the other agencies currently involved with this case.

As previously noted, other investigations and/or issues regarding this site include, but are not limited to, the following:

- o The potential source and proper disposition of soils stockpiled east of the Home Depot store are unresolved. Apparently, some sources suggest the noted soil came from the area of former California Oil Recyclers (Bldg. 3 and 4); others indicate the subject soil originated from beneath the present Home Depot;
- o Air photos indicate that there was a significant level of activity in proximity to the present site of Home Depot prior to its construction, suggesting the potential for contamination in this area. We understand that no environmental investigation occurred in this area prior to construction of the Home Depot store. Hence, the issue of an environmental investigation in this area is presently viable;

Mr. Dale Sobek
RE: 6000 S Corp., 6000 Stevenson Blvd.
January 31, 1991
Page 2 of 3

- o We understand that a soils and groundwater investigation was performed by Harding Lawson Associates, based upon a previously-approved work plan composed by Levine-Fricke, and that a report documenting the results of this investigation is months overdue for submittal to all agencies involved with this site. We further understand that this report was completed during October or November 1990. Such reports are to be submitted in a timely fashion, with failure to do so possibly subjecting you to enforcement actions.

Preliminary results of the noted investigation have reportedly shown that a well (or wells) in proximity to the Home Depot store is (are) contaminated, and that the stockpiled soil to the east of the store is also contaminated. This information, if true, strongly supports the aerial photo interpretation mentioned previously which described an area of activity proximal to the current Home Depot store;

- o The issue of unlawful disposal of hazardous waste (foundry sand) potentially impacting waters of the state through contaminated surface run-off has additionally been raised. Such potential impacts may be a violation of Water Code Section 13271, which provides for the assessment of civil penalties upon conviction;
- o A letter authored by you, and dated August 1, 1990, indicated that your attorney had initiated contact with the American Brass and Iron Foundry regarding the disposal of foundry sand. We understand that this company was the source of the sand presently on your site. We further understand, from correspondence dated January 3, 1991, that "...[t]he foundry sand disposal is in litigation." What is the final outcome of this endeavor, if any?


At this time, you are advised not to further manipulate, move, redistribute, dispose of, transport, or otherwise handle the foundry sand until such activity is approved by this Department. The next few weeks will be used to acquaint staff with the specifics of this case and to familiarize ourselves with the requirements imposed by state law for the management of this waste stream. We understand that several options for the treatment or disposal of this waste were previously presented in the June 27, 1990 Levine-Fricke report, and that at least one service proposal has been submitted by Reed & Graham, Inc. for chemical stabilization of this material. However, implementation of any method may not proceed without prior written approval from this Department.

Mr. Dale Sobek
RE: 6000 S Corp., 6000 Stevenson Blvd.
January 31, 1991
Page 3 of 3

For this Department to begin oversight of this case, you are requested to remit a deposit totalling \$1340. The deposit, authorized by Section 3-141.6 of the Alameda County Ordinance Code, is placed into an account from which funds are drawn at a rate of \$67 per hour, deferring costs incurred by the county in oversight of this project. Funds remaining in the account at the close of this project will be promptly refunded. Conversely, should these funds be depleted before completion of the project, additional funds will be requested. This deposit is due within 10 days, or by February 11, 1991.

Should you have any questions regarding the content of this letter, please call me at 415/271-4320.

Sincerely,



Scott O. Seery
Hazardous Materials Specialist

cc: Rafat A. Shahid, Assistant Agency Director, Environmental Health
Edgar Howell, Chief, Hazardous Materials Division
Gil Jensen, Alameda County District Attorney's Office
Howard Hatayama, DHS
Lester Feldman, RWQCB
Jill Duerig, ACWD
Paulette Garcia, City of Fremont Attorney's Office
Elizabeth Stowe, City of Fremont Hazardous Materials Bureau
Bob Eppstein, City of Fremont Building and Safety Department
Ann Draper, City of Fremont Planning Department
Janet Harbin, City of Fremont Planning Department
Gary DiMercurio, City of Fremont Planning Commission
Larry E. Luloff, Esq.

P 06 128 354

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL
(See Reverse)

Sent to MR. DALE SOBEK	
6000 S. CORP.	
Street and No. 42080 OSGOOD RD.	
P.O. State and ZIP Code FREMONT, CA 94539	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing Postmark and Date Delivered	
Return Receipt showing Postmark and Date Delivered	
TOTAL Postage and Fees	
Postmark or Date	

PS Form 3800, June 1975

SS

● **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. 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to: MR. DALE SOBEK 6000 S. Corporation 42080 Osgood Road Fremont, CA. 94539	4. Article Number P062128354
5. Signature of Addressee X	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
6. Signature of Agent X	Always obtain signature of addressee or agent and DATE DELIVERED.
7. Date of Delivery 8-1-91	8. Addressee's Address (ONLY if requested and fee paid) 139



91 JAN 14 PM 3:15

City of Fremont

Public Works Department
Hazardous Materials Division
39572 Stevenson Place, Suite 125
Fremont, California 94539 - 3075
January 11, 1991

(415) 791 - 4279

Alameda County District Attorneys Office
Don Harris
7677 Oakport Street, Suite 400
Oakland, CA 94621-21001

Dear Mr. Harris:

At your request, the information provided represents the historic business development of the property located at 6000 Stevenson Boulevard which will be referred to as the site. Reports submitted to the city indicated that Mr. Dale Sobek is the principle owner of the site. Mr. Sobek purchased the site in 1978 and formed Sobex, a formulator and manufacturer of polyurethane foams. In 1979 this business may have been known as Polymir Industries and/or Dale W. Sobek Company. Polymir occupied the currently vacant warehouse building on site from June 1978 to December 1979.

Sobek, Inc., a chemical consulting firm, leased a building close to the former California Oil Recyclers building from May 1980 to January 1984. This building has since been removed.

The attachment lists the principle officers for the corporation referred to as 6000 S Corporation.

HISTORY OF THE SITE

The next section is an excerpt from the January 1990 report entitled "Preliminary Environmental Assessment of 6000 S Corporation Site, 6000 Stevenson Boulevard, Fremont, California", prepared for Wallace, Roberts and Todd by ENSCO on behalf of 6000 S Corporation.

The Sobek property was initially developed in 1963 by Pullman Trailmobile. This firm constructed four buildings on the site, including the large warehouse identified in this report as Buildings 1 and 1a. This building was the construction center for



a variety of shipping containers, truck vans, and trailers manufactured by Pullman for the trucking and transportation industries. Trailers and containers were painted inside a large paint booth located in the central part of this building. Pullman Trailmobile constructed four pits in the building floor for welding and sandblasting work done prior to painting. Large exhaust ducts suspended from the ceiling carried paint vapors and exhaust out of the building. Buildings 2,3 and 4 served as the main office, another painting center and the maintenance shop, respectively. Pullman Trailmobile occupied the property until 1976. No other buildings were constructed on the property from 1963 to 1980.

The entire site was purchased by Mr. Sobek in May 1978. From June through December 1978, Buildings 1 and 2 were leased to Polymir Industries. This company manufactured polyurethane foam insulation products until September 1978. The company entered into voluntary bankruptcy and all materials and equipment were removed by auction.

From June 1978 until December 1981, Building 4 was leased to California Oil Recyclers. This firm reclaimed waste oil from gasoline service stations, storing it in large above-ground tanks located between Building 3 and 4. According to Mr. Sobek, California Oil Recyclers was evicted from the property for poor maintenance and quality control practices.

Building 3 was leased to Sobex, Inc. a chemical consulting firm, from May 1980 through January 1984. A drum storage area associated with this firm was located near the southeast side of Buildings 3 and 4.

Building 2 was leased to Peterbilt Engineers from April 1979 to May 1987 for use as an engineering office and storage area for computer tapes and parts drawings.

Building 1a was leased to Golden Gate Auto Auction from June 1978 to October 1987 for use as an auto auction facility. Several hundred cars were continuously parked in this area during the lease period. Golden Gate Auto Auction also installed an underground fuel storage tank on the property near Building 3. This tank was removed in 1985.

Building 1 was leased by Raychem Corporation from April 1980 to May 1987. Raychem used the building as a warehouse to supply manufacturing plants in the Bay Area with furniture, equipment, packaging supplies and packaged goods.

Additional buildings were constructed on the property in 1980. Buildings 5 and 6 were constructed and leased to Design Spec and Sofa Bed Warehouse, respectively. Each of these firms assembled and sold furniture.

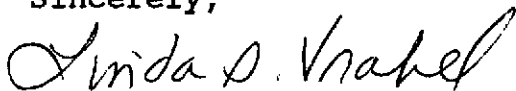
January 11, 1991
6000 S Corporation
Page 3

Building 7 was constructed in 1981. It provides office space for 6000 S Corporation.

Construction of the Home Depot building was completed in January 1987. Buildings 3 and 4 were removed from the property to allow for construction of the Home Depot parking lot.

Please feel free to call if you wish to discuss this matter in greater detail.

Sincerely,



LINDA S. VRABEL
Hazardous Materials Specialist

attachments:

cc: Jill Duerig, Alameda County Water District
Paulette Garcia, City of Fremont Attorneys Office
Scott Seery, Alameda County Environmental Health

INQUIRE

Business Tax: Master File Screen 1

Master Ctrl # 8456 01) Expires 123190 02) Parcel
 03) Business Name 6000 S CORPORATION 04) Business Sort 6000
 05) Corporate Name 06) Corporate Sort
 07) Address 6000 Dir. Street STEVENSON BLVD
 08) Street Sort STEV 09) Apt. Sort 10) Location Key
 11) City, St FREMONT, CA 12) Zip 94538
 13) Bill Name
 14) Bill Address 6000 STEVENSON BLVD
 15) Bill City FREMONT St CA 16) Zip 94538
 17) Owner 1 SSN # 547-04-6392 18) Bus. Phone 4156577633
 19) Owner Name 1 SOBEK DALE W 20) Phone
 21) Owner Address
 22) City State 23) Zip
 24) Owner Name 2 25) Phone
 26) Owner Name 3 27) Emerg. Phone
 28) Sales Tax # 29) FEIN #
 30) SEIN # 31) Vendor # 32) Owner 2 SSN #
 33) Ownership C 34) SIC Code 6531 35) Contractor #

Second Screen ?? (Y/N)

INQUIRE

Business Tax: Master File Screen 2 Master Ctrl: 8456
 01) Hazardous Mat. Y/N N 05) Frqncy A 07) #Units 0
 02) Fire Arms Y/N N 06) In/Out I 08) Import/Exp Y/N N 09) Rcpt 0
 03) Public Assmby Y/N N N 0
 04) Alcoholic Bev. Y/N N 10) Remarks RENTAL PROPERTY
 11) Fire Insp Cycle 12) Next Insp Date
 13) Date Opened 032483 16) Home Occ Exp 17) HO Permit #
 14) Date Closed
 15) Date Last Pd 030190 18) Date Expired 123190
 845F 1208-B00
 S5351 22) Text Code 1208-B00
 19) Permit Info 23) Tax Status R
 20) Compliance Info 24) Acct. Type BT
 21) Bill Remarks
 25) Muni Codes: 1200-A00 1207-000
 26) Building Insp # 0 27) Construction Type 28) Occupancy
 *** Display Items Only ***
 29) Date Due 022891 30) Prior Balance 0.00

Enter <Y> to Display Business History
 Enter <Anykey> to Continue



City of Fremont

Public Works Department
Hazardous Materials Division
39572 Stevenson Place, Suite 125
Fremont, California 94539 - 3075

(415) 791 - 4279

January 10, 1991

Alameda County Environmental Health Department
Scott Seery
80 Swan Way, Suite 200
Oakland, CA 94621

RE: CASE REFERRAL, 6000 S CORPORATION, 6000 STEVENSON BOULEVARD, FREMONT.

Dear Mr. Seery:

In early December the staff of the EPD observed the waste foundry sand had been moved after Mr. Sobek had been notified this was not an acceptable practice. This action was later confirmed by Mr. Larry Lulofs, Sobek's attorney.

On January 7, 1991 the City of Fremont Environmental Protection Division (EPD) received correspondence authored by Mr. Dale W. Sobek. This correspondence informed the EPD of 6000 S Corporation's intent to remove and properly dispose of the remaining chemicals currently being stored at 6000 Stevenson Boulevard. Please refer to the attachment. The letter also confirmed the change of storage location of the waste foundry sands.

The EPD is very concerned about the lack of timely and appropriate disposition of the waste foundry sands.

Mr. Sobek continues to fail to achieve the proper removal and appropriate disposition of this waste stream. Therefore, we formally request the Alameda County Department of Environmental Health act as the lead agency relating to hazardous waste issues at this site including, but not limited to, the waste foundry sand.



January 10, 1991
Sobek Referral
Page 2

If you wish to discuss this matter in greater detail, please feel free to contact me.

Sincerely,

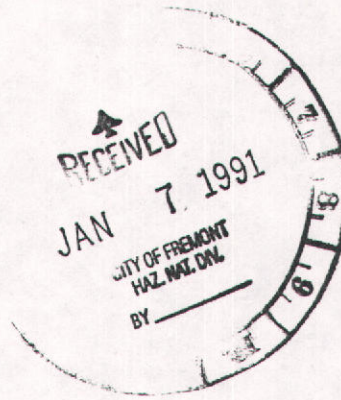
Linda D. Vrabel

ELIZABETH STOWE
Environmental Protection Division

attachment

cc: Gil Jensen, Alameda County District Attorneys Office
Jill Duerig, Alameda County Water District
Rich Hiett, Regional Water Quality Control Board
Dale Sobek, 6000 S Corporation

January 3, 1991



Ms. Linda Vrabel
City of Fremont
39572 Stevenson Place
Suite 125
Fremont, CA 94539

RE: Your Letter of December 10, 1990

Dear Linda:

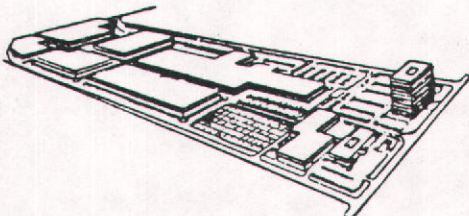
Following review of your letter of December 10, 1990, we have decided to remove all foam chemicals from the 6000 Stevenson facility rather than preparing a Hazardous Materials Management Plan for these non-hazardous materials.

We will remove the chemicals using Erickson in conformance to existing regulations, and forward necessary paperwork to your office.

We are going to try to complete this process before January 31, 1991, but the removal date hinges on when Erickson can pick up the drums. All small samples can be consolidated into 55-gallon drums for removal. If you have any questions, please let me know now.

On another subject, as we discussed today, I am enclosing before and after photos of the foundry sand and construction debris consolidation.

Note these materials have been segregated into separate consolidated piles for use or disposal. The construction off-haul has not been consolidated. It is in a separate, segregated location for future bacterial treatment, if required.



6000 S CORPORATION

6000 STEVENSON BOULEVARD

FREMONT, CALIFORNIA 94538

(415) 657-7633

Ms. Linda Vrabel
City of Fremont

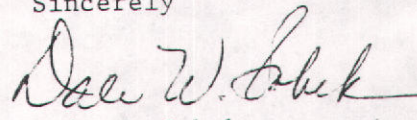
January 3, 1991
Page 2

The foundry sand disposal is in litigation.

The construction off-haul may need aeration or bacterial treatment, so it was logical to make the separations we have.

Photos are enclosed for your file.

Sincerely


Dale W. Sobek
President

DWS:g

cc: Larry E. Lulofs, Esq.

Encls. (2) Photos

HELLER, EHRMAN, WHITE & McCAULIFFE
ATTORNEYS

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

525 UNIVERSITY AVENUE
PALO ALTO, CALIFORNIA 94301-1908
FACSIMILE (415) 324-0638
TELEPHONE (415) 326-7600

333 BUSH STREET · SAN FRANCISCO, CALIFORNIA 94104-2878
CABLE HELPOW · TELEX 184-996 · FACSIMILE (415) 772-6268
TELEPHONE (415) 772-6000

701 FIFTH AVENUE
SEATTLE, WASHINGTON 98104-7098
FACSIMILE (206) 447-0849
TELEPHONE (206) 447-0900

555 SOUTH FLOWER STREET
LOS ANGELES, CALIFORNIA 90071-2306
FACSIMILE (213) 614-1868
TELEPHONE (213) 689-0200

1300 S. W. FIFTH AVENUE
PORTLAND, OREGON 97201-5696
FACSIMILE (503) 241-0950
TELEPHONE (503) 227-7400

550 WEST 7TH AVENUE
ANCHORAGE, ALASKA 99501-3571
FACSIMILE (907) 277-1920
TELEPHONE (907) 277-1900

December 18, 1990

Mr. Scott Seery
Division of Hazardous Materials
County of Alameda
80 Swan Way, Suite 200
Oakland, CA 94621

Public Records Act Request

Dear Mr. Seery:

Pursuant to the California Public Records Act (Government Code SS 6250 et seq.), I hereby request that you make available to me for inspection and copying the following public record or records in the possession of the County of Alameda:

Any and all memoranda, documents, letters, papers, notes or other writings, or any other public records, relating to the site known as 6000 Stevenson Blvd. in Fremont, California.

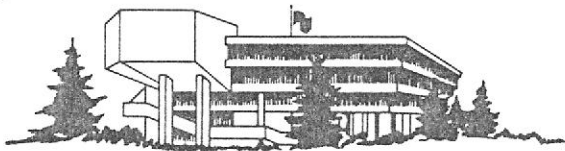
Please let me know as soon as possible the time and place that you will make these public records available for my inspection and copying. I look forward to your prompt response.

Very truly yours,

Susan P. Griffin
Legal Assistant

cc: Debbie Sivas

90 DEC 19 PM 1:41



90 DEC 12 PM 1:30

City of Fremont

Public Works Department
Hazardous Materials Division
39572 Stevenson Place, Suite 125
Fremont, California 94539 - 3075
December 10, 1990

(415) 791-1279

Mr. Dale Sobek
6000 S Corporation
6000 Stevenson Blvd.
Fremont, CA 94538

Dear Mr. Sobek:

We appreciate your compliance efforts by submitting a Hazardous Materials Management Plan (HMMP) for your facility located at 6000 Stevenson Boulevard in Fremont, California. I understand that the information required in an HMMP is rather cumbersome and may be a burden to complete.

Please be aware that much of the information required in an HMMP has been prescribed in the California Health and Safety Code, as well as in the City of Fremont's Hazardous Materials Storage Ordinance.

The information contained in your HMMP submittal is useful, however, it does not meet our minimum standards. The attached deficiency list describes information required to complete your HMMP documentation. I have attached a copy of our guidelines and blank form for your convenience. Please submit your revised HMMP by January 31, 1990.

If you wish to set up a meeting, I would be more than happy to go over the information as described in our deficiency list.

Sincerely,

LINDA S. VRABEL
Hazardous Materials Specialist

cc: Jill Duerig, Alameda County Water District
Rich Hiatt, Regional Water Quality Control Board
Scott Seery, Alameda County Environmental Health
Janet Harbin, Planning Department
Gil Jensen, Alameda County District Attorneys Office



DEFICIENCY LIST

Deficiencies in the Hazardous Materials Management Plan of 6000 S Corporation at 6000 Stevenson Blvd.

1. Submit: the business name, address and phone number; The 24 hour phone number(s) of the emergency contact(s); the number of shifts and employees per shift, and owner's name, mailing address and business phone.
2. Site map should also include: the location of internal roads and parking areas; the location of storm and sewer drains, and a description of adjacent property uses.
3. Facility maps should also include: the capacity limit for each container, access routes to each facility; the location of emergency equipment; and a description of the uses of other areas within the storage facility.

For each hazardous material the map should be keyed to include: storage location; maximum aggregate quantity at each location; hazard class, and physical state.

4. The Hazardous Materials Inventory Statement (HMIS) should also include (for each hazardous material) the hazard class.
5. Describe methods used to prevent mixing of incompatible materials in the event of a spill, and to protect hazardous materials from factors which may cause fire, explosion, production of flammable toxic or poisonous gas, or deterioration of primary and secondary containment.
6. Describe security precautions to prevent unauthorized persons or animals from entering the facility.
7. Describe plans to provide warning markings on containers, storage areas and structures, fences, gates and accessways. Labels and placards must comply with the NFPA 704M Hazard Identification System.
8. Describe facility inspection procedures and indicate an inspection schedule. Inspection procedures should include provisions to monitor safety and emergency equipment. Submit an inspection checksheet or log.
9. Employee training should include instruction in the safe storage and handling of hazardous materials, and instruction in emergency procedures for leaks, spills, fires, or explosions. Describe documentation of employee training.
10. Describe available emergency equipment, and emergency equipment testing and maintenance procedures, including a schedule.

11. The Contingency Plan should include: procedures for response to a fire, explosion, or unauthorized release; simplified procedures for personnel to follow; a primary emergency response person and an alternate; a list of emergency equipment; an evacuation plan, and a list of emergency assistance numbers.
12. The Closure Plan should describe the method of hazardous material disposal or removal from the facility in the event of termination of storage or use of the facility.



City of Fremont

Public Works Department
Hazardous Materials Division
39572 Stevenson Place, Suite 125
Fremont, California 94539 - 3075

90 NOV 27 AM 11:10

RECEIVED

(415) 791 - 4279

NOV 26 1990

DISTRICT ATTORNEY

Scott,
Is Fremont
making any progress?
Giv

November 20, 1990

Mr. Dale Sobek
6000 S Corporation
6000 Stevenson Boulevard
Fremont, CA 94538

Certified Mail #P 545 305 682

Re: Foundry Sand Removal and Disposal, 6000 Stevenson Boulevard

Dear Mr. Sobek:

This letter is written to acknowledge receipt of your correspondence dated November 13, 1990. The attached correspondence briefly describes onsite movement of waste foundry sand, so that you may acquire additional business related benefits.

Movement of this waste stream is not feasible without appropriate documentation of the increased risk associated with your proposal. On this basis approval of your request has been denied by the Environmental Protection Division (EPD).

The EPD believes your efforts should be concentrated on the permanent removal and proper offsite disposal/recycling of this waste stream.

The EPD is very concerned about the continued delays associated with the appropriate disposal of this waste stream. Please be aware, further delays associated with the appropriate disposal of this waste stream may result in enforcement up to and including civil and criminal penalties.



November 20, 1990
6000 Stevenson Boulevard
Page 2

If you wish to discuss this matter in greater detail, please feel free to contact me.

Sincerely,

Linda P. Vrabel

LINDA VRABEL
City of Fremont
Hazardous Materials

cc: Gil Jensen, Alameda County District Attorney's Office
Jim Gonzales, City of Fremont Attorney's Office
Ed Howell, Alameda County Health Department
Scott Seery, Alameda County Health Department
Lester Feldman, Regional Water Quality Control Board
Rich Hiett, Regional Water Quality Control Board
Jill Duerig, Alameda County Water District

November 16, 1990

NOV 19

Ms. Linda Vrabel
Public Works Department
City of Fremont
39572 Stevenson Place
Suite 125
Fremont, CA 94539-3075

RE: Concrete Debris, Foundry Sand & Construction Dirt

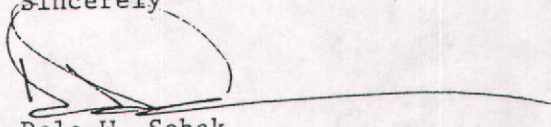
Dear Ms. Vrabel:

This is to advise you that I intend to concentrate the concrete debris, foundry sand and construction dirt on my 6000 Stevenson Blvd. site into smaller, uniform, slightly higher piles in order to avail ground area to park trucks and autos.

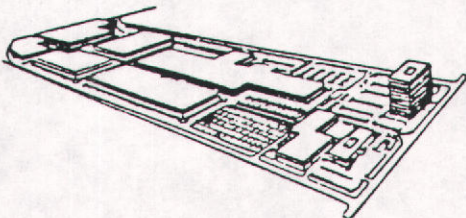
No material will be moved off site. It will not be co-mixed, but it will be moved into individual smaller concentrated mounds against the east property line of this site.

If you wish to observe the work, we will notify you at your request as soon as our ground lease is finalized.

Sincerely


Dale W. Sobek
President

DWS:g

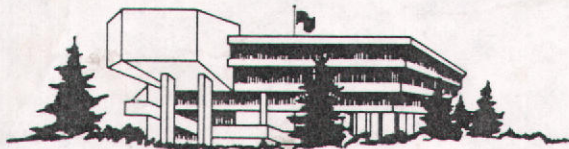


6000 S CORPORATION

6000 STEVENSON BOULEVARD

FREMONT, CALIFORNIA 94538

(415) 657-7633



City of Fremont

Public Works Department
Hazardous Materials Division
39572 Stevenson Place, Suite 125
Fremont, California 94539 - 3075
September 11, 1990

(415) 791-4279

90 AUG-14 PM 2:43

Mr. Dale Sobek
6000 S Corporation
6000 Stevenson Boulevard
Fremont, CA 94538

RE: 6000 S CORPORATION, 6000 STEVENSON BOULEVARD, FREMONT, CA

Dear Mr. Sobek:

This is written to document our August 10, 1990 telephone conversation regarding foundry sand disposal options. The Levine Fricke report entitled "Sampling of Foundry Sands, 6000 Stevenson Boulevard, Fremont, California" discussed potential disposal options. Previous analytical data has indicated elevated soluble lead concentrations above the Soluble Threshold Limit Concentration value in the sands.

needs DHS concurrence

During a telephone conversation I had today with Lester Feldman of the Regional Water Quality Control Board (RWQCB), he indicated the foundry sand is a special waste. Current RWQCB policy mandates all hazardous, designated and/or special wastes be disposed of at permitted disposal facilities. Land used for disposal of this material must conform to the requirements of a Class II Disposal site as set forth in the California Code of Regulations, Title 23, Chapter 15. These regulations also specify stringent monitoring requirements. A copy of these regulations have been included for your convenience.

The City of Fremont Community Development Department must approve a change in land use prior to 6000 S Corporation's submittal of the required Waste Discharge Requirement Application. The Waste Discharge Requirement (WDR) must be completed by 6000 S Corporation and submitted to the RWQCB for approval. Essential Criteria in a WDR includes, but may not be limited to, the following:

- a) A report or waste discharge (ROWD) must be submitted to the RWQCB for review and approval. It must be determined by the RWQCB that the discharge does not appear to pose a threat to surface and/or groundwater, the soil has been adequately characterized, and that on-going remediation



and/or site specific conditions allow for migration control of all existing and potential ground and/or surface water pollutants.

- b) The RWQCB staff then recommends the Board mandate waste discharge requirements, with an appropriate monitoring program for ground and/or surface water for the life of the landfill.

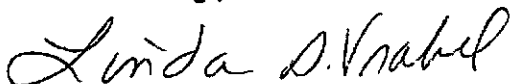
A risk assessment will also be required before an approval may be considered for the siting of a new hazardous waste disposal site.

Typically waste materials are disposed of offsite at an appropriate facility or recycled. Disposal facilities are designed and managed very carefully to reduce potential negative impacts to surface and groundwater quality, as well as to minimize human exposure. In this case, potential recycling of material involves asphalt.

If you continue with this plan, you must submit a formal proposal to the City of Fremont Community Development Department for a land use change. Copies of this request should also be submitted to the Environmental Protection Division, the Alameda County Water District, the Solid Waste Management Board, the State Department of Health Services, the Alameda County Department of Environmental Health and the RWQCB for review and comment.

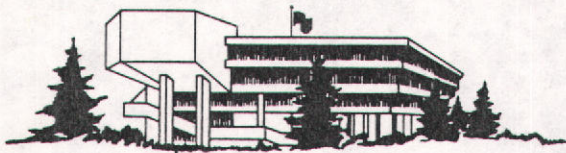
Please be aware of the potential liability associated with being an owner and/or operator of an environment landfill.

Sincerely,



LINDA S VRABEL
Hazardous Materials Specialist

cc: Lester Feldman, Regional Water Quality Control Board
Jill Duerig, Alameda County Water District
Paulette Garcia, City of Fremont
Janet Harbin, City of Fremont
Len Banda, City of Fremont
Gil Jensen, Alameda County District Attorneys Office
Bob Eppstein, City of Fremont
Scott Seery, Alameda County Environmental Health
Jim Gonzales, City of Fremont
Ed Howell, Alameda County Environmental Health



90 AUG 31 AM 10:48

City of Fremont

Public Works Department
Hazardous Materials Division
39572 Stevenson Place, Suite 125
Fremont, California 94539 - 3075
August 29, 1990

(415) 791 - 4279

Mr. Dale Sobek
6000 S Corporation
6000 Stevenson Boulevard
Fremont, CA 94538

RE: SOBEK CLOSURE, 6000 STEVENSON BOULEVARD, FREMONT

Dear Mr. Sobek:

This is written to document our August 28, 1990 meeting. In attendance were Paul Levine of Harding Lawson Associates, Dale Sobek of 6000 S Corporation, Jill Duerig of Alameda County Water District (ACWD) and Linda Vrabel of the Environmental Protection Division (EPD). Synopsis of our discussion follows.

The foundry sand will be removed in the near future. Mr. Sobek and American Brass Foundry are currently discussing options available. A report documenting the disposal of all liquid, solid and empty drums as well as the 10,000 gallon isocyanate tank will be submitted to the EPD by September 5, 1990. I informed Mr. Sobek that a joint inspection by us and the Alameda County Environmental Health Department is scheduled for the afternoon of September 4, 1990.

Discussion focused on the work plan for soil, groundwater and wipe sampling of this site. The purpose of the discussion was to clarify any misunderstandings and to review the ACWD comments on the proposal Work Plan for this site.

I would like to thank you for your cooperation to date and for attendance at this meeting. The EPD is encouraged by the progress towards completion of Closure Plan tasks and looks forward to the eventual resolution of the environmental concerns related to this site.

Sincerely,

LINDA S. VRABEL
Hazardous Materials Specialist

cc: Jill Duerig, Alameda County Water District
Scott Seery, Alameda County Environmental Health
Paulette Garcia, City of Fremont





City of Fremont

Public Works Department
Hazardous Materials Division
39572 Stevenson Place, Suite 125
Fremont, California 94539 - 3075
August 23, 1990

(415) 791 - 4279

Mr. Dale Sobek
6000 S Corporation
6000 Stevenson Boulevard
Fremont, CA 94538

RE: SOBEK CLOSURE, 6000 STEVENSON BOULEVARD, FREMONT

This is to acknowledge receipt of your August 17, 1990 correspondence. The Environmental Protection Division (EPD) would also like to have this investigation completed in an expeditious manner and believes that the meeting scheduled for August 28, 1990 at 1:30 p.m. will be fruitful. The meeting will be held at the offices of Alameda County Water District located at 43885 South Grimmer Boulevard.

The purpose of this meeting will be to discuss your concerns regarding the work that must be done to bring this site into compliance with applicable hazardous materials regulations.

Although this will be an informal meeting a representative of the City Attorney's office may attend as an observer.

Sincerely,

LINDA S. VRABEL
Hazardous Materials Specialist

cc: Jill Duerig, Alameda County Water District
Paulette Garcia, City of Fremont
Jim Gonzales, City of Fremont
Lester Feldman, Regional Water Quality Control Board



August 17, 1990



Ms. Linda S. Vrabel
Public Works Department
City of Fremont
39572 Stevenson Place
Suite 125
Fremont, CA 94539-3075

RE: August 13, 1990 Letter Concerning Post Closure Report

Dear Linda:

Pursuant to our telephone conversation this A.M., I wish to acknowledge and confirm our plan to finalize removal of all chemicals at 6000 S Corporation.

To date, all solid drums have been removed. The 10,000 solid tank has been removed. The 44 empty drums are to be picked up by Erickson next week. The 42 liquid drums were picked up by Romic in June in a bulk truck. There was a minor reaction with some residual in their tank, so Romic redrums the material and returned it to me. I am now obtaining quotes to get this removed finally, and it will be done prior to September 15, 1990.

With your permission, I will file our closure reports if Erickson removes the liquid drums, as they handled all the other materials. If they do not remove the liquids, I will file two closure reports, one for materials handled by Erickson, and one for the 42 liquid drums.

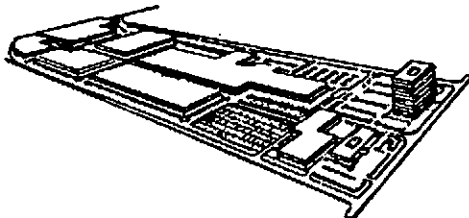
All maintenance and research materials are in the process of being double contained for storage at 6000 S Corporation. This will be done by Monday, August 20, 1990, and we welcome your inspection of these items.

Sincerely

A handwritten signature in black ink, appearing to be "Dale W. Sobek", written over a horizontal line.

Dale W. Sobek
President

DWS:g



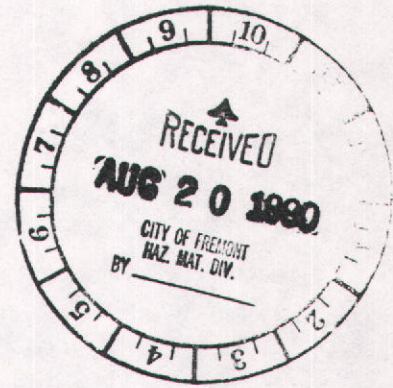
6000 S CORPORATION

6000 STEVENSON BOULEVARD

FREMONT, CALIFORNIA 94538

(415) 657-7633

August 16, 1990



Ms. Linda S. Varbel
Public Works Department
City of Fremont
39572 Stevenson Place
Suite 125
Fremont, CA 94539-3075

RE: Work Order No. 3 - August 13, 1990 Letter

Dear Linda:

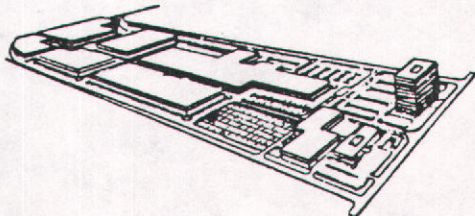
I called you today concerning the Revised Work Order No. 3 in order to expedite some modifications I recommend to insure accuracy and effective results.

The stock-piled soil as shown on the attached color map (Figure 1) is not soil taken from under Buildings 3 or 4. Page 10 of the Levine-Fricke Report is not accurate. They indicated the soils "may" have come from under these buildings, but such is not the case. This soil was taken from the Home Depot loading dock area and will remain on site.

The construction debris did come from under Building 3, as the foundations were 3 - 4 feet deep and had to be excavated out with a large tractor and backhoe. This debris is mostly large chunks of concrete.

Building "G" to my knowledge never existed. Since this area is under the floor in the middle of The Home Depot Store, it is not prudent to test this area.

My goal is to get this plan completed expeditiously, economically and efficiently. I will not employ Levine-Fricke to do this work, because they have not designed this or previous plans to arrive at conclusions. They have merely created plans to induce more work to keep the project continuously in motion.



6000 S CORPORATION

6000 STEVENSON BOULEVARD

FREMONT, CALIFORNIA 94538

(415) 657-7633

Ms. Linda S. Vrabel
City of Fremont

August 16, 1990
Page 2

It is a little distressing to me to have consultants do work plans based on their best guesses, and have the Environmental Protection Department, a supposedly responsible city agency, take these guesses as doctrine, and I, as an on-site owner, can not get your agency to believe anything I say.

I request a meeting to finalize this site work, as soon as you can get Alameda County Water District and Environmental Protection Department to meet with me to review the plan, so there is no misunderstanding.

Sincerely



Dale W. Sobek
President

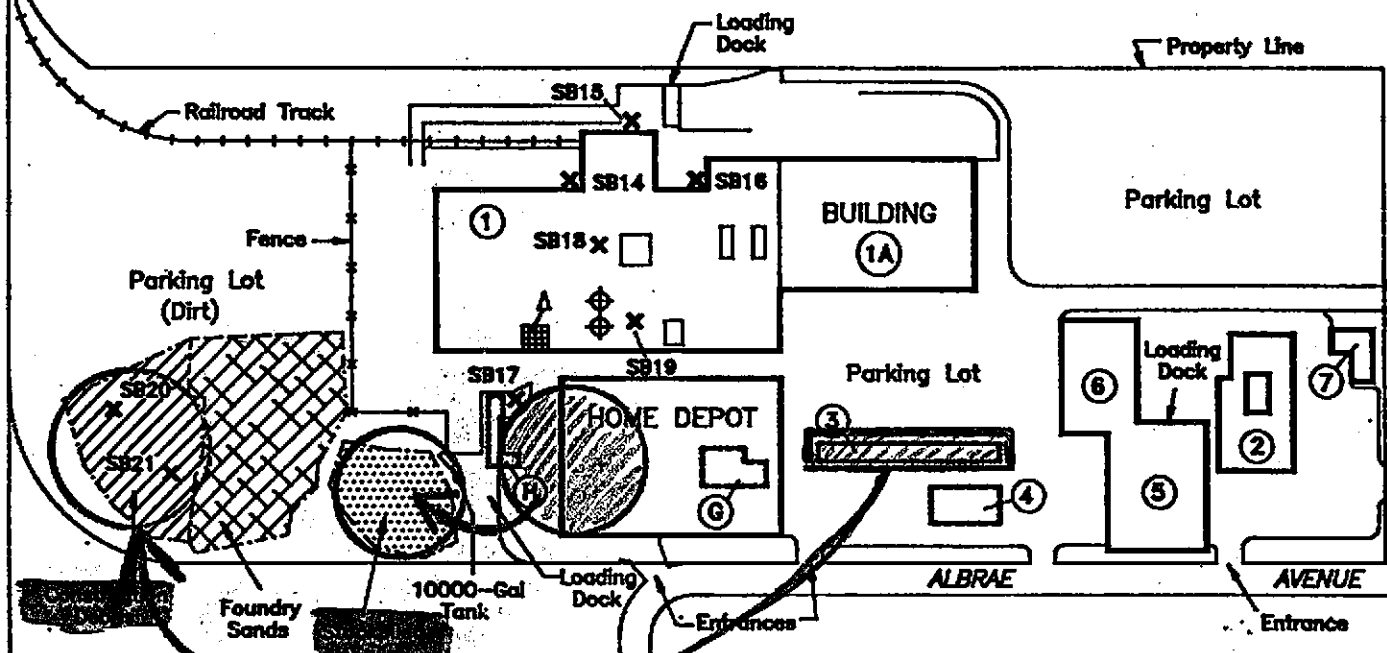
DWS:g

cc: Harding Lawson

Encl. (1) Red-lined Figure 1

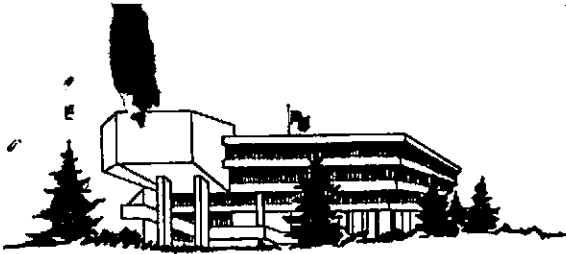
INDUSTRIAL PROPERTY

INDUSTRIAL PROPERTY



STEVENSON BOULEVARD

COMMERCIAL PROPERTY



City of Fremont

Community Development Department
39700 Civic Center Drive
P.O. Box 5006
Fremont, California 94537

AUG 14 1990

August 14, 1990

Dale Sobek
6000 S Corporation
6000 Stevenson Boulevard
Fremont, CA 94537

CERTIFIED MAIL
RECEIPT REQUESTED

RE: 6000 S Corporation - GPA-87-17, EIR-87-85

Dear Mr. Sobek:

I have received your letter dated August 10, 1990 regarding the tentatively scheduled Planning Commission hearing on September 27, 1990 for the above referenced project.

When you last met with Planning, Engineering and City Attorney's Office staff on July 26, 1990, staff conveyed their concerns related to the severe traffic impacts of the proposed full-scale retail commercial project. From your comments at that meeting, City staff's understanding was that you would be withdrawing the General Plan amendment application. However, based on your letter of August 10, 1990, I must assume you intend for the project to remain active, and the General Plan land use change be considered at the Planning Commission public hearing on September 27, 1990.

If your intent is to have the proposed project application continue to be processed rather than be withdrawn, please notify me as soon as possible at (415) 790-6717. I will need to hear from you by September 3, 1990 in order to prepare staff reports for the scheduled Planning Commission hearing.

Sincerely,

Janet Harbin
Associate Planner
Long Range Planning Division

cc: Paulette Garcia, City Attorney's Office
✓ Elizabeth Stowe, Environmental Protection
Ann Draper, Community Development Director
Robert Carlson, City Planner
Richard Asimus, City Engineer
Rob Wilson, Senior Civil Engineer
Tom Folks, Associate Transportation Engineer



August 10, 1990

CERTIFIED MAIL

Ms. Janet Harbin
Associate Planner
City of Fremont
Community Development Dept.
39700 Civic Center Drive
Fremont, CA 94537

RE: 6000 Stevenson Blvd. - E.I.R. (GPA-87-17)

Dear Ms. Harbin:

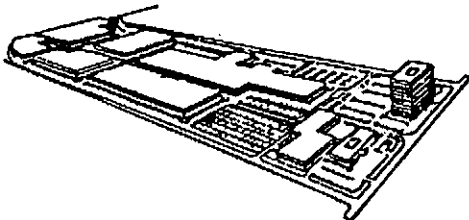
On the advise of my attorney, we will be attending the
Planning Commission hearing on E.I.R. (GPA-87-17) on
September 27, 1990.

Since this is a tentative date, please notify me if there
is a change in the times.

Sincerely

Dale W. Sobek
President

DWS:g

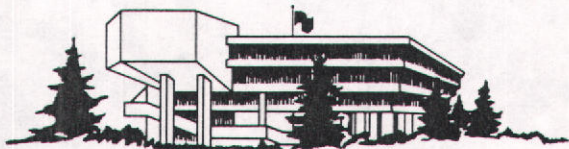


6000 S CORPORATION

6000 STEVENSON BOULEVARD

FREMONT, CALIFORNIA 94538

(415) 657-7633



City of Fremont

Public Works Department
Hazardous Materials Division
39572 Stevenson Place, Suite 125
Fremont, California 94539 - 3075
August 13, 1990

(415) 791 - 4279

Mr. Dale Sobek
6000 S Corporation
6000 Stevenson Boulevard
Fremont, CA 94538

RE: SOBEK CLOSURE, 6000 STEVENSON BOULEVARD

Dear Mr. Sobek:

This letter is written to formally notify you that copies of all future correspondence, work plans and/or reports shall be submitted to each of the following agencies for comment:

- o Rich Hiatt of Regional Water Quality Control;
- o Jill Duerig of Alameda County Water District;
- o Scott Seery of Alameda County Health Department
- o Linda Vrabel of Environmental Protection Division

In the past I have been informally reproducing documentation associated with this site and submitting the reproduced material to some regulatory agencies who have an interest in this site, but this practice will not continue.

Sincerely,

LINDA VRABEL
Hazardous Materials Specialist

cc: Rich Hiatt, Regional Water Quality Control Board
Jill Duerig, Alameda County Water District
Scott Seery, Alameda County Health Department





City of Fremont

Public Works Department
Hazardous Materials Division
39572 Stevenson Place, Suite 125
Fremont, California 94539 - 3075
August 6, 1990

(415) 791 - 4279

Mr. Scott Seery
Alameda County Health Agency
Department of Environmental Health
80 Swan Way, Room 200
Oakland, CA 94621

Re: Sobek Closure, 6000 S Corporation, 6000 Stevenson Boulevard,
Fremont, CA

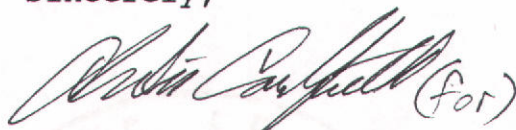
Dear Mr. Seery:

This is written to acknowledge an oversight in the correspondence copy list for correspondence regarding the project referenced above. Thank you for informing us of this oversight.

Please find attached copies of all correspondence and work plans received and or sent by the Environmental Protection Division.

Please comment as deemed necessary, we welcome your technical input.

Sincerely,

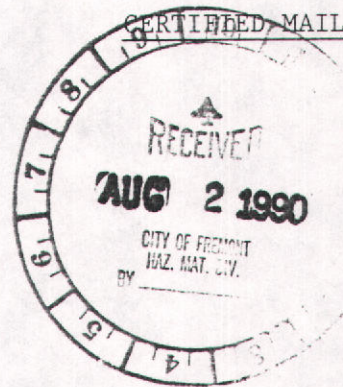
 (for)

LINDA VRABEL
City of Fremont
Hazardous Materials



August 1, 1990

Ms. Linda S. Vrabel
Public Works Department
City of Fremont
39572 Stevenson Place
Suite 125
Fremont, CA 94539-3075



RE: Your Letter of July 24, 1990

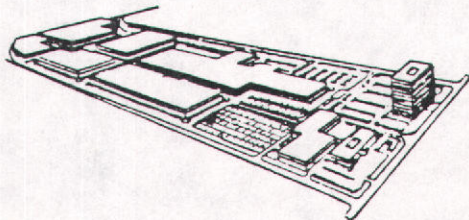
Dear Ms. Vrabel:

I have reviewed your letter dated July 24, 1990 with Levine-Fricke and George Wolff on July 30, 1990, the date I received your letter.

I have directed my attorney to contact American Brass to demand they remove the foundry sand at their expense immediately in accordance with the procedures outlined in your letter as Option 3. They will be given 10 days to respond with a removal plan, or we will file a law suit against them immediately to compel their response and action.

You and I know the foundry sand is harmless, as proved by all tests except the one Ensco test, but I do not have funds to fight the city, county, state and federal bureaucracy, so I am compelled to take this course of action.

When I called Bob Roat at Levine-Fricke on Monday morning following receipt of his letter, I asked him to provide me with a written opinion of the most expeditious economical solution to the foundry sand problem. He indicated he would get back to me today, but has not. Levine-Fricke has demonstrated continued irresponsibility to my schedules as imposed by you and other agencies. I have enclosed a schedule presented to me and copied to you in March of this year, showing the foundry sand matter to be addressed by April 1st. I finally received the plan on June 27, 1990. This kind of support is not acceptable to me! With this in mind,



6000 S CORPORATION

6000 STEVENSON BOULEVARD

FREMONT, CALIFORNIA 94538

(415) 657-7633

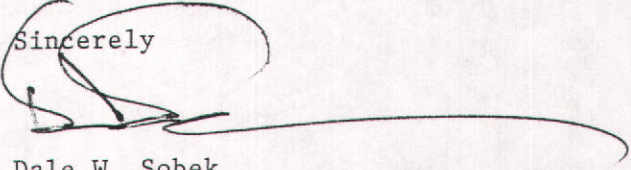
Ms. Linda Vrabel
City of Fremont

August 1, 1990
Page 2

I have engaged Harding Lawson to complete my site work using the same plan I submitted to you on June 6, 1990.

When and if that plan is accepted and returned to me, I will proceed to complete the environmental work as expeditiously as possible.

Sincerely



Dale W. Sobek
President

Dictated 4:50 P.M., 7/31/90

DWS:g

cc: G. Wolff, Esq.

Encl. (1)

Figure 1 :
Schedule for Sobek/6000S

Phase	Tasks	Week Ending													
		March				April				May				June	
		3/10	3/17	3/24	3/30	4/7	4/14	4/21	4/28	5/5	5/12	5/19	5/26	6/2	
IA	1 Letter Report to ACWD on Well Closure														
	3 Preparation of Health & Safety Plan														
IB	7 Inventory Chemicals in Warehouse														
	8 Develop Closure Plan for Above-Ground Tank														
	9 Address Foundry Sand														
	1 Develop Sampling Plan Based on Ensco Report and Inspection of C.O.F. Aerial Photo														



City of Fremont

Public Works Department
Hazardous Materials Division
39572 Stevenson Place, Suite 125
Fremont, California 94539 - 3075
July 24, 1990

RECEIVED

(415) 791 - 4279

JUL 27 1990

DISTRICT ATTORNEY
HAYWARD

Mr. Dale Sobek
6000 S Corporation
6000 Stevenson Boulevard
Fremont, CA 94538

RE: 6000 S CORPORATION, 6000 STEVENSON BOULEVARD

Dear Mr. Sobek:

The Environmental Protection Division (EPD) has completed our review of the draft report entitled "Sampling of Foundry Sands, 6000 Stevenson Boulevard, Fremont, California" prepared by Levine Fricke for 6000 S Corporation on June 27, 1990 and submitted to EPD on July 2, 1990. The purpose of this phase of the investigation was to assess and evaluate the concentrations of soluble metals present in the foundry sands relative to the Soluble Threshold Limit Concentrations (STLC) in order to determine options for appropriate off-site disposal. Previous analytical data indicate elevated soluble lead concentrations above the STLC value in the sands.

In the event that 6000 S Corporation chooses Option 1, further work is required in order to assess the potential for use of the foundry sand as fill. A Work Plan shall be developed and submitted to the EPD for review and approval. This Work Plan shall include, but may not be limited to, an indepth Sampling and Analysis Plan requiring discrete sample analysis for every 20 cubic yards of material verifying the concentration of analytical tests to be below the STLC values. A risk assessment shall also be developed in order to determine the health and environmental effects of leaving the material on-site as fill beneath the foundations and/or asphalt.

Currently the Regional Water Quality Control Board (RWQCB) prefers that all hazardous wastes including designated and/or special wastes, be disposed of at permitted disposal facilities. In certain instances it may be appropriate to treat materials on-site utilizing approved methodologies prior to on-site disposal. Typically, areas chosen for on-site disposal are beneath foundations and/or pavement in order to reduce the potential for receptor exposure.



In the event that 6000 S Corporation chooses Option 2, which is the chemical stabilization of foundry sand by incorporation within Portland Cement utilizing the methodology as described in the DHS publication "Treatment Standards for Foundry Sand" (Ostrom, N.S., DHS Toxic Substances Control Program, Alternative Technology Division, November 1989) additional work is required and is described in the following paragraphs.

The owner, 6000 S Corporation, shall retain liability associated with that of an owner and/or operator of a landfill. In addition, the RWQCB requires that a Waste Discharge Requirement (WDR) be completed by 6000 S Corporation, as indicated in a telephone conversation with Lester Feldman of RWQCB on July 17, 1990. WDR's may be issued by RWQCB for special cases (i.e severe financial hardship or large volumes of soil). Some of the criteria which must be met in a WDR follows:

- a) A report of waste discharge (ROWD) is submitted to the RWQCB for review and approval. It must be determined by the RWQCB that the discharge does not appear to pose a threat to surface and/or groundwater, the soil has been adequately characterized, and that on-going remediation and/or site specific conditions allow for migration control of all existing and potential ground and/or surface water pollutants.
- b) The RWQCB staff recommends the Board prescribe waste discharge requirements, with an appropriate monitoring program, for ground and/or surface for the life of the landfill.

In addition to the aforementioned WDR requirements, EPD would require that a limited risk assessment be performed.

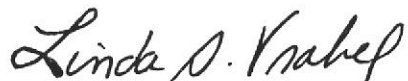
Typically, waste materials are disposed of off-site at an appropriate facility. These facilities are designed and managed in order to reduce potential negative impacts to surface and groundwater quality, as well as to minimize human exposure. Management includes stringent monitoring requirements. In the event that 6000 S Corporation chooses Option 3, a technical report shall be developed which includes a brief narrative as to the disposal site selected, a copy of the manifest(s) if a Class I TSDF is required or a copy of the receipt if a Class II landfill accepts this material. Copies of appropriate bills-of-lading must be included for any recycled material along with a narrative description of the approved process.

Submit a brief Technical Report which describes the option selected in detail for review and approval by EPD no later than August 20, 1990. A schedule must be submitted no later than August 8, 1990 which includes the tasks to be performed and anticipated date for project completion. This schedule shall accurately reflect the activities to be performed and dates associated with activity

commencement and completion. Please be aware that EPD is working in conjunction with RWQCB on this project and that this is a formal request for submittal of a Technical Report pursuant to Section 13267 (b) of the California Water Code. The Regional Water Quality Control Board is empowered to impose civil liability to a maximum amount of \$ 1,000 per day for failure to submit a technical report.

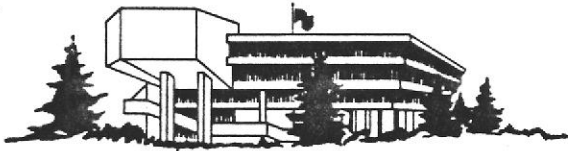
Mandated regulatory oversight requires notification of 72 hours prior to the implementation of any sampling events or other activities for this phase of the investigation.

Sincerely,



LINDA S. VRABEL
Hazardous Materials Specialist

cc: Rich Hiett, Regional Water Quality Control Board
Jill Duerig, Alameda County Water District
Paulette Garcia, City of Fremont
Janet Harbin, City of Fremont
Gil Jensen, Alameda County District Attorneys Office
Bob Eppstein, City of Fremont
Bob Roat, Levine Fricke



City of Fremont

Public Works Department
Hazardous Materials Division
39572 Stevenson Place, Suite 125
Fremont, California 94539 - 3075
July 20, 1990

(415) 791 - 4279

Mr. Dale Sobek
6000 S Corporation
6000 Stevenson Boulevard
Fremont, Ca 94538

RE: SOBEK CLOSURE, 6000 STEVENSON BOULEVARD, FREMONT, CA

Dear Mr. Sobek:

Correspondence dated June 29, 1990 indicates an interest in changing contractors to complete the last phase of this contract. The City of Fremont Environmental Protection Division (EPD) has no authority to grant or deny a change in contractors. Although, we are concerned with the quality of work to be performed; the qualifications of the individuals over-seeing the project, reviewing of the project's data and signing the reports; as well as, the experience of the individuals performing the field portion of this investigation.

Typically changing contractors mid-project has a tendency to delay project completion. This has already been documented by the change of city contracted consultants to Sobek contacted consultants.

If a change of contractors is to occur, there shall be no scheduling delays in the work required in order to complete this phase of this investigation by either 6000 S Corporation and/or the contractor. In addition, if any oversight is to be scheduled do as a result of a redundancy in tasks, fees with the oversight associated shall be incurred by 6000 S Corporation.

Sincerely,

LINDA S. VRABEL
Hazardous Materials Specialist





City of Fremont
CALIFORNIA

memorandum

July 3, 1990

TO: JANET HARBIN

RE: ADMINISTRATIVE DRAFT FINAL EIR REPORT, 6000 S CORPORATION
GENERAL PLAN AMENDMENT, SUBMITTED BY WALLACE, ROBERTS & TODD
6/21/90

We have reviewed the above-referenced document and have the following comments.

1. Page 20 The first sentence is grammatically incorrect.

Written approvals from the Regional Water Quality Control Board, Alameda County Water District and The State Department of Health Services (DOHS) are required prior to the development of any portion of the project site. While a mandated assessment and clean-up work has begun for this site, it is not yet complete. Adequate site characterization is required before appropriate judgements can be made as to its suitability for development.

ELIZABETH STOWE
Environmental Protection

Harding Lawson Associates

AUG 7 1990



June 18 1990

PW 90-1118.13

6000 S Corporation
6000 Stevenson Boulevard
Fremont, California 94538

Attention: Mr. Dale Sobek

Gentlemen:

Proposal
Field Investigation
6000 Stevenson Boulevard
Fremont, California

Harding Lawson Associates
A Subsidiary of Harding Associates

Joseph M. Krohn
Project Environmental Scientist

Engineering and
Environmental Services

10324 Placer Lane
Sacramento, CA 95827
916/364-0793
Telecopy: 916/364-5633

Harding Lawson Associates (HLA) is pleased to present this proposal to provide field investigation services at the above referenced facility. Based on our discussions, we understand that you require a second bid on a work plan prepared by Levine-Fricke (Revised Work Order No. 3, Soil, Groundwater and Wipe Sampling Plan, 6000 Stevenson Boulevard, Fremont, California). That work plan is currently under review by the City of Fremont. We have prepared our bid based solely on the specifications (Tasks 1-11) of the Levine-Fricke report. In preparing our bid we have assumed that access to all sampling locations can be assured. Further, we make no warranty, nor pass judgment on the adequacy of the sampling plan. The HLA team (attached) understands your desire to move forward rapidly with this project and is committed to meeting this objective.

SCHEDULE AND FEES

We propose performing this investigation on a time-and-materials basis, in accordance with the terms outlined in the attached Service Agreement. Our estimated costs are presented below:

Task 1 - Drill Soil Borings, Install Groundwater Monitoring Wells, and Collect Samples in the Vicinity of Former Oil Recyclers Operation

Senior	4	hours	@ \$ 65	\$ 260
Staff	30	hours	@ \$ 55	1,650
Vehicle	30	hours	@ \$ 9	270
Materials				1,000
Permits/Materials/Mob				300
Equipment	3	days	@ \$300	900
Drilling	30	hours	@ \$140	4,200
Survey/Utility Locate				400

Subtotal

\$ 8,980

Engineering and
Environmental Services

10324 Placer Lane, Sacramento, CA 95827 916/364-0793
A Subsidiary of Harding Associates • Offices Nationwide

June 18, 1990
PW 90-1118.13
Mr. Dale Sobek
6000 S Corporation
Page 4

AUG 7 1990

Harding Lawson Associates

We can proceed with the above tasks immediately upon your written authorization, and estimate field investigation completion (using standard laboratory turnaround) of 3 weeks. Enclosed is a copy of our Standard Service Agreement for your review. Please return one fully executed copy as our authorization to proceed.

Harding Lawson Associates appreciates the opportunity to present this proposal. If you have any questions concerning the scope of services, fees, or other aspects of this proposal, please let us know.

Yours very truly,

HARDING LAWSON ASSOCIATES

Norman T. Shopay

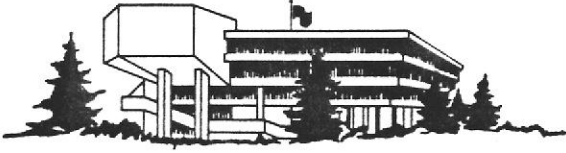
Norman T. Shopay
Associate Hydrogeologist

Paul Levine

Paul Levine, R.G.
Managing Associate Hydrogeologist

MJL/PEL/mm/90001118.70D

Attachments: Resumes
Service Agreement
Schedule of Charges



City of Fremont

Public Works Department
Hazardous Materials Division
39572 Stevenson Place, Suite 125
Fremont, California 94539 - 3075
June 12, 1990

(415) 791 - 4279

Mr. Dale Sobek
6000 S Corporation
6000 Stevenson Blvd.
Fremont, CA 94538

RE: SOBEK CLOSURE, 6000 STEVENSON BOULEVARD, FREMONT, CA.

This letter is written in response to correspondence dated June 8, 1990 and authored by yourself, formally requesting that we send copies of aerial photographs of the above-referenced property for the years of 1976 and 1981.

We do not have the appropriate equipment to copy these aerial photographs, but you are welcome to review these photos at our office.

Copies of these aerial photographs may be obtained at Pacific Aerial Surveys, 8407 Edgewater Drive, Oakland, CA 94621

Sincerely,

A handwritten signature in cursive script that reads "Linda S. Vrabel".

LINDA S. VRABEL
Hazardous Materials Specialist

cc: Paulette Garcia, Deputy City Attorney



CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

SAN FRANCISCO BAY REGION

1800 HARRISON STREET, SUITE 700
OAKLAND, CA 94612

Phone: Area Code 415

464-1255



June 4, 1990

File No. 2223.09(RCH)

Dale W. Sobeck
6000 S Corporation
6000 Stevenson Boulevard
Fremont, California 94538

90 JUN -8 AM 11:24

Subject: Investigation of Soil and Ground Water at 6000 S Corporation

Dear Mr Sobeck,

In my letter of January 4, 1990 I outlined some issues that required your immediate attention, specifically:

1. Identify and abate any ongoing release(s).
2. Purge and destroy the three abandoned on-site wells.
3. Initiate a soil and groundwater investigation.
4. Foundry Molding sands containing heavy metals.
5. Approximately 250 storage drums.
6. A former above ground storage tank.

I am writing this letter because I have been notified that you are not making a diligent effort towards implementing a soil and ground water investigation at your site. I understand from my staff that you are making progress in addressing some of the other issues. The three abandoned wells on site have been destroyed and the foundry molding sands have been sampled for characterization. Also I have been informed that plans for the above ground storage tank have been submitted to the City of Fremont but require implementation. I am concerned that a similar assiduous effort is not being applied towards the soil and ground water.

Each of the agencies involved in this project are looking forward to a timely completion of all the above issues and concerns. Please continue to coordinate your implementation schedules with the Alameda County Water District and the City of Fremont. Rich Hiatt is available from my staff for questions regarding the contents of this letter at (415)464-4359.

Sincerely,

for, Steven R. Ritchie
Executive Officer

cc:

George W. Wolff, Attorney

Gil Jensen, Alameda County District Attorney's Office

G.F. Duerig, Alameda County Water District

Elizabeth Stowe, City of Fremont

Tom Peacock, Alameda County Health Department

Howard Hatayama, California Department of Health Services



City of Fremont
CALIFORNIA

*file
6000 Stevenson*

memorandum

May 31, 1990

JANET HARBIN

COMMENTS ON APRIL 26, 1990 LETTER FROM MR. DALE SOBEK
PROPOSED GENERAL PLAN AMENDMENT FOR 6000 STEVENSON BOULEVARD

This memo is written to document my comments to the hazardous materials related sections of an April 26, 1990 letter from Mr. Dale W. Sobek addressed to Janet Harbin. The letter references the March 19, 1990 Wallace, Roberts & Todd General Plan Amendment proposed for the property located at 6000 Stevenson Boulevard in Fremont, California.

Written approvals from the California Regional Water Quality Control Board, Alameda County Water District and State Department of Health Services are required prior to the development of any portion of the referenced property. Until this entire site is adequately characterized as to environmental contamination, no decision can be made as to its suitability for development. Examples of areas of concern include, but are not limited to, the following.

- 1) **EXISTING AND SUSPECTED CONTAMINATION:** The existence of buildings and asphalted areas onsite does not support the assumption that is stated in Mr. Sobek's first paragraph. To the contrary, in addition to several areas of known contamination, there are other suspected areas and types of environmental contamination that must be adequately assessed.
- 2) **SITE CHARACTERIZATION:** Several areas of Building 1 have been negatively affected by chemicals previously handled onsite. Contaminated materials need to be properly analyzed and disposed of or decontaminated.

May 31, 1990
6000 Stevenson Boulevard
Page 2

- 3) **STOCKPILED SOIL AND FOUNDRY SAND:** An appropriate plan must be submitted for the characterization of the contaminated soil stockpiled from the former site of California Oil Recyclers. Samples of the foundry sand were collected May 21, 1990 and are scheduled for analysis for soluble lead to characterize the material for off-site disposal. No report has been received as of this date.
- 4) **DEEP WELLS:** During the first quarter of 1990, three deep wells located on the property were destroyed (closed) properly under regulatory oversight and with approved permits. The required final closure report has not yet been submitted.

While mandated assessment and clean up work has progressed on this site, there is still a need for additional assessment information before environmental contamination onsite can be properly remediated. Please feel free to call if you would like more detailed information.

Sincerely,



ELIZABETH STOWE
Manager
Environmental Protection

cc: Paulette Garcia, Deputy City Attorney



City of Fremont
CALIFORNIA

memorandum

May 24, 1990

ELIZABETH STOWE

6000 S CORPORATION, 6000 STEVENSON BOULEVARD

The memo is written at your request to be used as a status report for the above-referenced site.

SITE CHARACTERIZATION

1. Several areas of Building 1 has been affected by chemical compounds previously stored or used in those areas. Based upon analytical results, contaminated materials should be decontaminated or removed for disposal to a proper disposal facility.

This issue shall be addressed in the sampling plan detailing site characterization. To date the plan has not been received.

2. Closure of stockpiled soil and foundry sand.

Samples of the California Oil Recycler's stockpiled soil shall be addressed in the sampling plan for site characterization. Samples of the stockpiled foundry sand were collected on Monday May 21, 1990 and will be analyzed for soluble lead in order to characterize the foundry sand for off-site disposal or recycling.

3. Closure of deep wells.

Three existing deep wells located on the northwest side of the property have been destroyed in accordance with Alameda County Water District Standard Operating Procedures, under Regulatory Oversight and approved permits.

A report documenting the closure of deep water wells has not been received.

4. Closure of the Former California Oil Recyclers Area.

This issue shall be addressed in the Sampling Plan for site characterization and this plan has not yet been received.

5. 10,000-Gallon Above-Ground Storage Tank.

A Closure Plan has been approved by the City of Fremont Hazardous Materials Division. To date the work has not been completed.

HAZARDOUS WASTE DISPOSAL

6. A plan for hazardous waste disposition of existing drums has been reviewed and accepted by the Environmental Protection Division. To date the work has not been completed.

SITE DEVELOPMENT

7. Signatures from staff member of Regional Water Quality Control Board, Alameda County Water District, and City of Fremont are mandated prior to proposed development of the site.

SCHEDULE

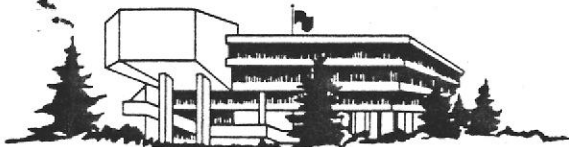
8. The work has been progressing, unfortunately not as fast as was indicated in the schedule prepared by Levine Fricke for the 6000 S Corporation.

Sincerely,



LINDA VRABEL

cc: Janet Harbin
Len Banda



City of Fremont

Public Works Department
Hazardous Materials Division
39572 Stevenson Place, Suite 125
Fremont, California 94539 - 3075

(415) 791 - 4279

April 19, 1990

Mr. Dale Sobek
6000 S Corporation
6000 Stevenson Blvd.
Fremont, CA 94538

RE: SOBEK CLOSURE, 6000 S CORPORATION, -6000 STEVENSON BOULEVARD

Dear Mr. Sobek:

I have completed my review of the documents entitled "Waste Tracking Form and Hazardous Materials Inventory Statement" and "Storage Tank Closure Plan" prepared by Levine Fricke for 6000 S Corporation and submitted to the City of Fremont on April 16, 1990.

I have reviewed these submittals and accept the information contained therein. Please notify our office 72 hours prior to implementation of the Storage Tank Closure Plan so that the mandated regulatory oversight may be scheduled. Please find the enclosed check number 002569 for the amount of \$320. We have waived the fee associated with this Tank Closure process.

We appreciate your current efforts to comply with regulations and look forward to the completion of these tasks in a timely manner.

Sincerely,

Linda S. Vrabel

LINDA S. VRABEL
Hazardous Materials Specialist

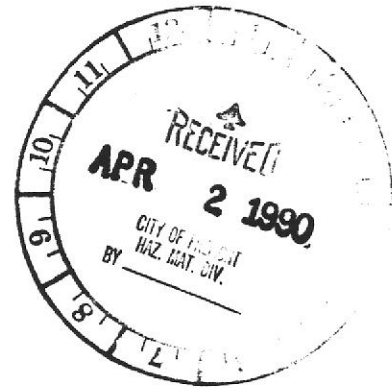
cc: Jill Duerig, Alameda County Water District
Rich Hiatt, Regional Water Quality Control Board
Paulette Garcia, City of Fremont Attorneys Office
Gil Jensen, Alameda County District Attorneys Office
Bob Roat, Levine Fricke
Janet Harbin, City of Fremont



Received COF 4/2/90
Submitted for your review 4/5/90

SS

March 29, 1990



Ms. Elizabeth Stowe
Program Administrator
City of Fremont
Public Works Department
Hazardous Materials Division
39572 Stevenson Place, Suite 125
Fremont, CA 94539-3075

RE: 6000 Stevenson Blvd.

Dear Ms. Stowe:

This is in response to your letter of March 23, 1990.

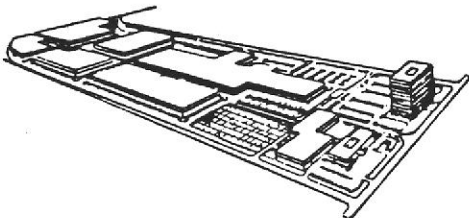
I have signed a Consultant Agreement with Levine-Fricke. Mr. Bob Roat of Levine-Fricke is my contact for the 6000 Stevenson Project.

The contract was signed on March 15, 1990.

On March 15, 1990, all chemicals were inventoried. Photographs were taken of the foundry sand and soil to facilitate the test-grid layout. The 10,000 gallon storage tank was inspected and sampled. The entire site was inspected and areas were "X" painted pursuant to Figure (5) of the Ensco Report, so that test borings can be made as soon as the City of Fremont approval is received. Finally, a new completion schedule for Phase I & II were outlined.

I spent most of yesterday with Mr. Roat. We reviewed the final schedule of activity and the photos taken on March 15, 1990. We had further discussions on the Ensco Report, Figure (5). Levine-Fricke is not satisfied with the test area recommendation made by Ensco at the old Cal-Oil site, so they will be submitting an alternative proposal to you for approval this week, or early next week. This new plan is intended to satisfy Mr. Feldman's and Mr. Ritchie's concerns as identified in the next-to-last paragraph of page 2 of your letter.

I have contacted EPA and I am awaiting a new generator number. I have contacted Romic Chemical and Chemical Waste Management to dispose of the drums and tank when Levine-Fricke has received your final approval.



6000 S CORPORATION

6000 STEVENSON BOULEVARD

FREMONT, CALIFORNIA 94538

(415) 657-7633

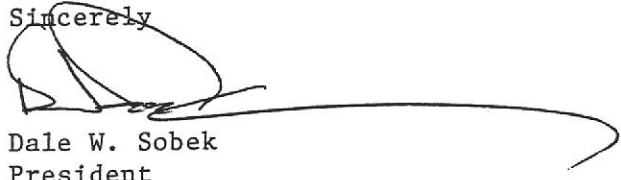
Ms. Elizabeth Stowe
City of Fremont

March 29, 1990
Page 2

The enclosed schedule for work to be done at 6000 Stevenson is part of my contract with Levine-Fricke, and my aim is to adhere to this schedule. The only delay will be not being able to obtain agency approvals to proceed in this time frame.

A copy of your letter and this response has been sent to Levine-Fricke to insure prompt, complete, acceptable documentation of all efforts.

Sincerely

A handwritten signature in dark ink, appearing to read 'Dale W. Sobek', with a long horizontal flourish extending to the right.

Dale W. Sobek
President

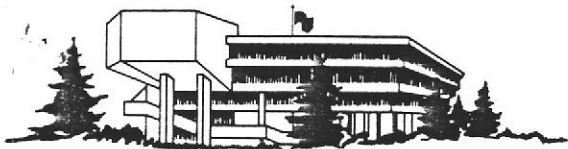
DWS:g

cc: Bob Roat, Levine-Fricke

Encl. (1) Work Schedule, Fig. 1

Figure 1 :
Schedule for Sobek/6000S

Phase	Tasks	Week Ending													
		March				April				May				June	
		3/10	3/17	3/24	3/30	4/7	4/14	4/21	4/28	5/5	5/12	5/19	5/26	6/2	
IA	1 Letter Report to ACWD on Well Closure														
	3 Preparation of Health & Safety Plan														
IB	7 Inventory Chemicals in Warehouse														
	8 Develop Closure Plan for Above-Ground Tank														
	9 Address Foundry Sand														
	1 Develop Sampling Plan Based on Ensco Report and Inspection of C.O.F. Aerial Photo														



MAR 29 AM 11:40

City of Fremont

Public Works Department
Hazardous Materials Division
39572 Stevenson Place, Suite 125
Fremont, California 94539 - 3075

RECEIVED

(415) 791 - 4279

MAR 27 1990

DISTRICT ATTORNEY
HAYWARD

March 26, 1990

Mr. Dale Sobek
6000 S Corporation
6000 Stevenson Boulevard
Fremont, CA 94538

RE: 6000 S CORPORATION, 6000 STEVENSON BOULEVARD

Dear Mr. Sobek:

This letter is to document a March 21, 1990 telephone conversation between Mr. Bob Roat of Levine Fricke and myself regarding implementation of Phases I and II of the Work Plan drafted for the above-referenced site prepared by Levine Fricke and submitted to the City of Fremont (COF) on December 14, 1989.

Mr. Roat indicated that a contract had recently been signed by yourself which authorizes Levine Fricke to implement Phases I and II of the Work Plan. COF is pleased to hear that this milestone has been completed. He also indicated that a tentative schedule had been completed which requires your review and approval. Bob also agreed that this schedule shall be submitted to COF by March 30, 1990 for our review and approval before it is implemented.

Correspondence authored by Steven Ritchie of the Regional Water Quality Control Board (RWQCB) on February 6, 1990 prescribed that all documentation requests also be submitted to Alameda County Water District (ACWD), appropriate local agencies and RWQCB.

COF is pleased that on-site closure of the three-deep water wells has recently been completed....Good Work.

Additional scheduling priorities must address in a timely manner, the following criteria:

- o A detailed report which describes well closure operations; well head conditions including amount, consistency and color of any oil present;

*Tom you not
cc'd. - is this ground
& tank only
cleaning?
I don't think
so??*



copies of permits; certified analytical results of all sampling and analysis; and recommendations based on the results of the analytical data as prescribed in correspondence authored by COF on January 30, 1990.


- o Completion of Tasks, 1, 2, and 3 of Phase 1.
- o Installation of additional groundwater monitoring wells in the vicinity of the California Oil Recyclers former site in order to establish groundwater quality and to determine groundwater gradient and direction of flow. This was agreed upon in the January 29, 1990 ACWD meeting and was prescribed in correspondence authored by ACWD on August 22, 1989 and by RWQCB on January 4, 1990.
- o Appropriate disposition and documentation of all hazardous materials and/or wastes which remain on-site.
- o Enclosed is a blank Closure Form with instructions. Please complete the form sign and date it, and return it to this office within thirty days.

To expedite completion of this project, COF agrees with the suggestion that a simultaneous approach to implementation of various Closure Activities, would be a worthwhile endeavor.

Mr. Roat also agreed to prepare reports upon completion of each appropriate activities, tasks, and/or Phases in order to expedite completion of this project. These interim status reports should be sent to all of the appropriate regulatory agencies.

We look forward to receiving the tentative schedule by March 21, 1990 and subsequent implementation of said activities. Prior notification of a minimum of 72 hours is required in order to schedule mandated regulatory oversight.

Sincerely,



LINDA S. VRABEL
Hazardous Materials Specialist

cc: Janet Harbin, City of Fremont
Gil Jensen, Alameda County District Attorneys Office
Paulette Garcia, City of Fremont
Bob Roat, Levine Fricke



SS

90 MAR 29 PM 1:49

City of Fremont

Public Works Department
Hazardous Materials Division
39572 Stevenson Place, Suite 125
Fremont, California 94539 - 3075

(415) 791 - 4279

March 23, 1990

Mr. Dale Sobek
6000 S Corporation
6000 Stevenson Boulevard
Fremont, CA 94538

RE: 6000 STEVENSON BOULEVARD

I am writing in response to your letter dated March 12, 1990 and received in this office on March 16. The environmental concerns related to this site are an independent issue and would exist even if you were to withdraw your application for development. I am very disappointed at your conditional delays in taking the required characterization and remedial actions for this site. Your letter has several serious misstatements and incorrect inferences. Specifically:

- Item 1: There are several known and suspected sites of significant environmental contamination on your property at 6000 Stevenson Boulevard. You are responsible for the cleanup of all unpermitted releases to the environment (air, land and water). Your letter referred to your "consultant." Please identify them and the extent of their authority. We will be happy to work with any qualified consultant with whom you select to properly characterize and remediate this site. Levine and Fricke have told us that they have signed a contract with you, but we need your conformation.
- Item 2: Your statement "A full site characterization....has been done...." is incorrect. There is an urgent need to thoroughly and accurately characterize the environmental contamination at 6000 Stevenson Boulevard. Your failure to adequately characterize and remediate this site has been discussed in detail in earlier correspondence and meetings among yourself and several regulatory agencies. The regulatory concern over surface runoff (existing ponded water may be tested) is not new. It has been discussed with the Regional Water Quality Control Board (Lester Feldman), Alameda County Water District (Jill Duerig), and yourself. Beyond the specific concerns of the City of Fremont, as we have discussed previously,



there are several other public agencies whose involvement is crucial for the site characterization and remediation. While I have tried to help with communications with some of the agencies, you are responsible for satisfying their requirements.

I do not understand your reference to "a stringent requirement". As defined in the dictionary, a requirement is "something obligatory, something needed". As established in a variety of local state, and federal laws (including Fremont's Municipal Code; the California Health and Safety Code; the California Code of Regulations; the Federal Comprehensive Environmental Response, Compensation, and Liability Act; the Federal Resource, Conservation and Recovery Act; and the Superfund Amendments and Reauthorization Act; etc.) and as implemented by the appropriate regulatory agencies, you are responsible for the adequate and timely cleanup of your property. You may not pick and choose which "requirements" you will satisfy. Additionally, you have incorrectly connected the EIR process for your proposed development project with the required environmental remediation for the site. As has been explained to you before, and as you have acknowledged, your obligation to remediate the environmental contamination on your property is not dependent on the status of any EIR or any development project. Until the environmental concerns regarding this site have been adequately characterized and quantified, no decision can be made as to the property's possible suitability for development. The draft EIR has been completed and is now available for review. Planning has informed me that you have been sent a copy. Please let me know if you have not received your copy of the draft EIR.

I would like to commend your actions in having the deep wells onsite tested. I am very pleased that, earlier this month, their closure was finally completed. The proper regulatory oversight was provided by staff from this office and the Alameda County Water District. However, you did not hold to your agreement to notify this office for all onsite testing, inspection, or characterization events so that proper regulatory oversight could be provided. Specifically, we have been informed, after the fact, that testing and characterization may have been done on some of the hazardous materials which are improperly stored on your site.

I have discussed your letter with Lester Feldman and he expressed concern over the continued lack of progress. He specifically iterated the need for a series of wells to evaluate the nature and extent of groundwater contamination. He asked that I remind you that Steve Ritchie of the Regional Board's staff must specifically approve the final site cleanup report.

As to your last paragraph, the regulations do apply to solidified material. As you have been instructed, a proper Closure Plan for all the unpermitted tanks on your property must be submitted to this office for our review and approval. When filling out the Closure Form (a blank form and instructions are attached.), it may be helpful to keep in mind the following issues.

- o All proposed closure activities must be submitted in writing to the appropriate regulatory agencies and receive their approval prior to implementation.

- o All residual material, equipment and rinse/cleaning solutions must be containerized and properly disposed of offsite as a hazardous waste.
- o All analysis on known or suspected hazardous materials must be performed by an analytical laboratory certified by the State of California for each particular, EPA approved, procedure.
- o After completion of each stage of closure activities, a complete final report must be submitted for review and approval by the appropriate regulatory agencies. Each report must be certified by a qualified professional.

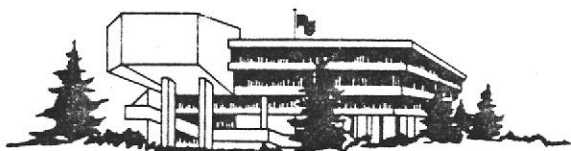
This work, along with the large number of other major tasks which need to be done, are overdue. Your continued delay at properly dealing with the significant environmental contamination on this site is not acceptable. Please contract with your selected professional(s) and begin to submit detailed characterization and remediation plans immediately.

Sincerely,



ELIZABETH STOWE
Program Administrator

cc: Gil Jensen, Alameda County District's Attorneys Office
Paulette Garcia, City of Fremont Attorneys Office
George Wolfe, Attorney
Lester Feldman, Regional Water Quality Control Board
Jill Duerig, Alameda County Water District
Tom Peacock, Alameda County Health Department
Len Banda, City of Fremont Planning Department



City of Fremont

Public Works Department
Hazardous Materials Division
39572 Stevenson Place, Suite 125
Fremont, California 94539 - 3075

(415) 791 - 4279

March 20, 1990

Mr. Dale Sobek
6000 S Corporation
6000 Stevenson Boulevard
Fremont, CA 94538

Dear Mr. Sobek:

On March 12, 1990 we received a copy of the final "Preliminary Assessment at 6000 S Corporation Site" prepared by ENSCO Environmental Services, Inc. for Wallace, Roberts and Todd.

A copy of this document has been enclosed for your convenience.

Sincerely,

LINDA S. VRABEL
Hazardous Materials Specialist





City of Fremont

Public Works Department
Hazardous Materials Division
39572 Stevenson Place, Suite 125
Fremont, California 94539 - 3075

(415) 791 - 4279

March 6, 1990

Mr. Dale Sobek
6000 S. Corporation
6000 Stevenson Blvd.
Fremont, CA 94538

RE: 6000 STEVENSON BOULEVARD, FREMONT

Dear Mr. Sobek:

This letter is written to document our February 27, 1990 telephone conversation and to confirm our discussion. You indicated that the following progress has occurred:

- 1) Levine and Fricke have not been retained to implement Phases 1 and 2 of the Closure Plan.
- 2) An application for a current EPA Identification number is in progress.
- 3) Chemical Waste Management and Romic have been requested to submit bids for drum disposal.
- 4) Chemical Waste Management has been requested to submit a bid for tank disposal.
- 5) Chemical Waste Management has been requested to obtain samples for waste profiles of several waste streams.
- 6) The Closure Activity Schedule has not been prepared.
- 7) Closure of deep-water wells should be completed by Friday, March 2, 1990.

I inspected the well closure operations on February 27, 1990 and am pleased to see this aspect of the project progress. We appreciate your cooperation by providing 72 hour oversight notification throughout the lengthy well closure process. In addition, the concept of gridding off potential sampling and well



locations for project duration in a good idea.

Correspondence authored by City of Fremont (COF) and dated January 30, 1990 indicated that the closure document prepared by Levine Fricke proposed to investigate known potential "Hot Spots" or areas of known environmental concerns relating to chemical use, leakage, spillage and disposal practices. Additional areas of potential contamination requiring investigation and disposal practices. Additional areas of potential contamination requiring investigation and/or mitigation may be identified and, as such, may require the development of associate workplans to complete on-site closure activities.

Beyond Phases I and II of this Closure Plan by Regional Water Quality Control Board additional plans are required which include but may not be limited to (1) identification and abatement of release(s), (2) appropriate disposition of all hazardous materials and wastes located on-site, (3) appropriate closure of the aboveground storage tank, (4) implementation of a soil and ground water investigation, (5) the evaluation and implementation of a remedial plan, (6) a full site characterization, and (7) a review of rainfall runoff water quality.

Prior to disposing of the aboveground storage tank a tank closure plan must be submitted to COF for approval. I have enclosed the appropriate forms for your convenience.

It is imperative that all closure activities be addressed in a timely manner.

We appreciate your current efforts to comply with locate, State and Federal regulations and look forward to working with you and your consultants on this facility closure.

Sincerely,

Linda S. Vrabel

LINDA S. VRABEL
Hazardous Materials Specialist

Elizabeth Stowe

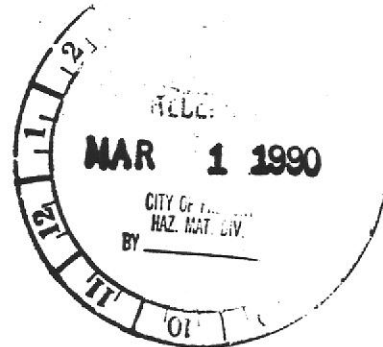
ELIZABETH STOWE
Program Administrator

cc: Paulette Garcia, Deputy City Attorney
Janet Harbin, City of Fremont Planning Dept.
George Wolf, Attorney
Jill Duerig, Alameda County Water District
Lester Feldman, Regional Water Quality Control Board

February 27, 1990

Certified Mail

Ms. Elizabeth Stowe
Ms. Linda Vrabel
City of Fremont
Public Works Department
39572 Stevenson Place
Suite 125
Fremont, CA 94539



RE: January 30, 1990 Letter to D. Sobek
Concerning Closure Proposal Phases I & II


Dear Ms. Stowe & Ms. Vrabel:

Pursuant to the last paragraph of the above-mentioned letter, this will confirm concurrence with Phases I & II of the Closure Plan items 2, 3, 4, 5 & 6 of para. 3, page 1 as outlined in this correspondence.

Our delay in response is due to an attempt to obtain precise testing time responses, contractor responses and preparation of an accurate schedule. Since this has not been possible to date, I want to respond to the known items, which we intend to cure as expeditiously as possible, and to insure you we, in good faith, will perform reasonable remediation of the 6000 Stevenson Blvd. Site.

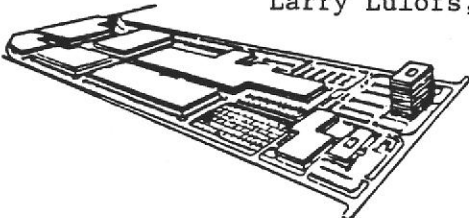
When we have a reliable schedule, I will forward it to you immediately, and will keep you informed on all other environmental activities in the interim.

Sincerely


Dale W. Sobek
President

DWS:g

cc: Paulette Garcia, Deputy City Attorney
Janet Harbin, City of Fremont Planning Dept.
George Wolff, Attorney
Jill Duerig, Alameda County Water District
Lester Feldman, Regional Water Quality Control Board
Bob Roat, Levine-Fricke
Larry Lulofs, Attorney



6000 S CORPORATION

6000 STEVENSON BOULEVARD

FREMONT, CALIFORNIA 94538

(415) 657-7633



55
RECEIVED

90 FEB 22 AM 11:14
FEB 15 1990

City of Fremont

Public Works Department
Hazardous Materials Division
39572 Stevenson Place, Suite 125
Fremont, California 94539 - 3075

DISTRICT ATTORNEY
HAYWARD

(415) 791 - 4279

February 13, 1990

Mr. Tim Loeb
ENSCO Environmental Services, Inc.
41674 Christy Street
Fremont, CA 94538-3114

RE: 6000 S CORPORATION SITE, 6000 STEVENSON BOULEVARD, FREMONT

Dear Mr. Loeb:

The draft report entitled "Preliminary Environmental Assessment" which was prepared by ENSCO in January 1990 and which documents field investigations conducted at the above-referenced site, has been reviewed. This report also contains recommendations presented as a Closure Plan, and information pertaining to additional investigations which may be required in order to perform the required preliminary site characterization. Specific comments regarding this draft document follow.

The sentence located on page 7 beginning "The site reconnaissance..." should to be amended to state "Building 1".

Copies of Aerial photographs designated AV-3268-6-63, AV-2640-06-61, AV-2040-06-63, AV-1750-06-65 and AV-1750-6-64 should be submitted to this office for addition to our files. Once submitted, these aerial photographs will be utilized by the City of Fremont during oversight of remediation operations.

All activities described in the Closure Plan are ENSCO'S recommendations and are based on data gathered during the preliminary investigation. The section entitled "Conclusions and Recommendations" should have subheadings, so that the "Closure Plan" may be included as a subheading within this section.

The verbiage and tense of the Closure Plan should be reviewed and amended. Information contained within the Closure Plan are ENSCO's recommendations, therefore use of "are" and "will be" throughout this section may be misleading.



Samples collected beneath Building 1 must be discrete rather than composited. EPA test methods to be utilized for analysis of samples collected southwest of Building 1 should be indicated.

A sample of the sand blasting residue, if present, may be substituted for wipe samples.

Historical onsite chemical usage include, but may not be limited to: total petroleum hydrocarbons (i.e. gasoline and diesel), volatile organic compounds, polychlorinated biphenyls (PCB), oil and grease, and metals (i.e. arsenic, cadmium, chromium, lead and nickel). All soil samples collected to characterize the California Oil Recyclers site and associate stockpiled soil must be chemically analyzed utilizing EPA test methods prescribed in "LUFT" Regulations.

The sentence on page 25 beginning "At a minimum..." should be amended to state typical deep-well closures in accordance with Alameda County Water Districts Standard Operating Procedures.

Additional site activities not included in the Closure Plan may also be required by regulatory Agencies for this site. These include, but may not be limited to: (1) identification and abatement of release(s); (2) appropriate disposition of all hazardous materials and wastes located on-site; (3) implementation of a soil and groundwater investigation; (4) evaluation and implementation of a remedial plan; (5) a full site characterization; and (6) a review of rainfall runoff water quality. The aforementioned individual work plans shall be prepared in response to specific agency requests and, as such, should be developed by qualified professionals chosen by the property owner and approved by the lead regulatory agency.

Sincerely,



ELIZABETH STOWE
Program Administrator

cc: Paulette Garcia, Deputy City Attorney
Janet Harbin, City of Fremont, Planning Department
Jill Duerig, Alameda County Water District
Dale Sobek, 6000 S Corporation
Mark Thomson, District Attorney

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

SAN FRANCISCO BAY REGION

1800 HARRISON STREET, SUITE 700
OAKLAND, CA 94612Phone: Area Code 415
464-1255February 6, 1990
File no 2223.09 (RCH)Dale Sobek
6000 Stevenson Blvd.
Fremont CA. 94538

RE: 6000 S Corporation, Fremont

Staff of the Regional Board have reviewed your submittal of 1/9/90 in response to our request of 1/4/90 for a technical report. This submittal failed to address the Alameda County Water Department's (ACWD) request for a ground water investigation. We have no objection to your proceeding with the Tetra-Tech and Levine-Fricke work plans, however, we expect you to coordinate a ground water investigation plan with ACWD, as requested in their August 22, 1989 letter to you.

Further requests for technical guidance, including requests for closure, should all be submitted to ACWD and appropriate local agencies. Courtesy copies of all soil and ground water investigations should still be submitted to the Regional Water Quality Control Board.

Sincerely,

Steven R. Ritchie
Executive Officer

A handwritten signature in dark ink, appearing to read 'Donald D. Dalke'.

Donald D. Dalke
Division Chief
North Bay Toxics

cc: George W. Wolff, Attorney
G.F. Duerig, Alameda County Water District
Gil Jensen, Alameda County District Attorney's Office
Elizabeth Stowe, City of Fremont
Tom Peacock, Alameda County Health Department
Howard Hatayama, California Department of Health Services



City of Fremont

Public Works Department
Hazardous Materials Division
39572 Stevenson Place, Suite 125
Fremont, California 94539 - 3075

(415) 791 - 4279

January 30, 1990

Mr. Dale Sobek, Principal
6000 S Corporation
6000 Steveson Boulevard
Fremont, CA 94538

RE: Closure Proposal Phases I and II, 6000 Stevenson Boulevard, Fremont

Dear Mr. Sobek:

This letter is written in response to correspondence dated December 13, 1990 addressed to Paulette Garcia with the City of Fremont (COF) Attorney's office. Pursuant to Section 3-12400 of Chapter 12 of the Hazardous Materials Storage Permit Ordinance a Closure Plan must describe hazardous material/ waste termination activities which minimizes/ eliminates any potential threat to the public or environment from residual hazardous materials/ wastes.

I reviewed the document prepared by Levine Fricke with respect to a Preliminary Environmental Assessment only. This plan proposed to investigate known potential "Hot Spots" or areas of known environmental concerns relating to chemical use, leakage, spillage and disposal practices. Additional areas of potential contamination requiring investigation and/ or mitigation may be identified and, as such, require the development of associated workplans. Data compiled during implementation of Phases I and II may be utilized in the development of work plans, as required by regulatory agencies, to complete on-site closure activities. Specific comments pertaining to Phases I and II are detailed in the following sections.

Beyond Phases I and II of this Closure Plan, you are required to submit work plans which include but may not be limited to (1) identification and abatement of release(s), (2) appropriate disposition of all hazardous materials and wastes located on-site, (3) appropriate closure of the above ground storage tank, (4) appropriate closure of the three deep water wells, (5) implementation of a soil and ground water investigation, (6) the evaluation and implementation of a remedial plan, (7) a full site characterization, and (8) a review of rainfall runoff water quality.

Aerial photographs taken of this site must be reviewed and evaluated for housekeeping and disposal practices as well as for evidence of spills.



The Preliminary Assessment must include a detailed description of the condition of the well-head assemblies upon removal from two of the three deep water wells. The amount, consistency and color of oil, if present, must be indicated. Groundwater samples must be collected for chemical analysis from each of the three deep water wells present on-site prior to closure. Alameda County Water District (ACWD) is the agency responsible for approval of Sampling and Analysis Plans, as well as Closure Plans relating to ground water and water wells and, as such, require submittal of the appropriate plans to ACWD. Interpretation of the certified analytical data being required by either ACWD or the Regional Water Quality Control Board may result in Corrective Action.

Historical on-site chemical usage included total petroleum hydrocarbons (i.e. gasoline and diesel), volatile organic compounds, polychlorinated biphenyls (PCB), oil and grease, and metals (i.e. arsenic, cadmium, chromium, lead and nickel). All soil and water samples must be collected for chemical analysis in accordance with LUFT regulations respective to chemical usage in the vicinity of the sample location. All decanted groundwater and soil tailings must be disposed of in accordance with appropriate regulations. On-site storage of waste materials must be labeled, identified as material type and dated. In addition, on-site storage of contaminated materials must meet COF secondary containment requirements and not exceed on-site storage of ninety days.

The chemical inventory to be completed for this site must include all labeled and unlabeled containers. Material Safety Data Sheets (MSDS) must be supplied for review for all labeled containers to evaluate chemical and physical characteristics in order to determine appropriate disposition. All unlabeled containers must be sampled and chemically analyzed to identify chemical and physical characteristics relative to final disposition. You must complete the Hazardous Materials Inventory Statement pursuant to Sections 3-12500 and 3-12501 of Chapter 12 of the Hazardous Materials Storage Permit Ordinance. Include a current EPA Generator's Identification Number for this site, the anticipated Treatment, Storage and Disposal Site for each waste stream along with the disposal site's Profile Number for each waste stream, and the anticipated registered waste for each of the waste streams identified during this process.

Approximately 2,000 cubic yards of Foundry Sand was transported to this site in 1986. Previous investigations performed indicated that this material required classification as a Special Waste in accordance with California Code of Regulations Title 22. During a site inspection performed by COF representatives on December 27, 1989, Mr. Sobek indicated that during demolition operations of California Oil Recycler's (COR) secondary containment area for the exterior storage tank farm, all excavated soil was transported and stockpiled on-site and in the vicinity of the foundry sand. You must describe the assessment activities (i.e. Test Methods for Evaluation of Solid Waste: Physical/ Chemical Methods, U.S. EPA SW-846, 1982) of the stockpiled foundry sand and soil located in the eastern portion of the site in order to evaluate appropriate disposition at a Class I, II and III site.

During Phase I and II of this investigation, all soil and ground water samples collected in the vicinity of COR must be chemically analyzed in accordance with LUFT regulations specifically for gasoline, diesel, total oil and grease, volatile organic compounds, PCB's, and metals.

COF records indicate that drummed materials/ wastes were formally stored at, at least two interior and three exterior locations of Building 1. Current on-site storage of hazardous materials/ wastes is not in secondary containment, therefore these areas will require inspection and potential collection and analysis of additional samples, where needed as determined by the appropriate regulatory agency.

January 30, 1990
6000 Stevenson Blvd.
Page 3

A written statement of concurrence with this letter indicating that the implementation of the aforementioned comments will occur is all that is currently required to approve Phases I and II of the Preliminary Assessment. Implementation of various portions of this investigation should proceed simultaneously to expedite project completion. Oversight by COF is mandated for all field work and requires notification of 72 hours. We look forward with working with you and your consultants on this Facility Closure.

Sincerely,


LINDA S. VRABEL
Hazardous Materials
City of Fremont


ELIZABETH STOWE
Program Administrator
City of Fremont

cc: Paulette Garcia, Deputy City Attorney
Janet Harbin, City of Fremont Planning Dept.
George Wolf, Attorney
Jill Duerig, Alameda County Water District
Lester Feldman, Regional Water Quality Control Board



City of Fremont

Public Works Department
Hazardous Materials Division
39572 Stevenson Place, Suite 125
Fremont, California 94539 - 3075

(415) 791 - 4279

January 19, 1990

Mr. Dale Sobek
6000 Stevenson Blvd.
Fremont, CA 94538

Dear Mr. Sobek:

Enclosed are the copies from our files that you requested. This includes a draft copy of the proposed Ensco Closure Plan which we received last Friday.

I hope your inspection of the Hazardous Materials Programs files for 6000 Stevenson Boulevard was helpful. Please feel free to call if you have any questions.

As you requested, when they are completed, I will send you a copy of my technical comments on proposed Closure Plan submittals from Ensco and Levine & Fricke. I hope to have these completed by the end of January.

Thank you for your cooperation.

Sincerely,

ELIZABETH STOWE
Hazardous Materials
Program Administrator

cc: Lester Feldman, Regional Water Quality Control Board
Jill Duerig, Alameda County Water District
Scott Seery, Alameda County Health Department
Paulette Garcia, Assistant City Attorney
Janet Harbin, City of Fremont



GEORGE WILLIAM WOLFF
ATTORNEY AT LAW
DANTE BUILDING
1606 STOCKTON STREET, SUITE 302
WASHINGTON SQUARE
SAN FRANCISCO, CALIFORNIA 94133-0100

TELEPHONE
(415) 788-1881
FACSIMILE
(415) 788-3932

January 9, 1990

Steven R. Ritchie
Executive Officer
California Regional Water
Quality Control Board
San Francisco Bay Region
1500 Harrison St., Suite 700
Oakland, CA 94612

Re: 6000 S. Corporation

Dear Mr. Ritchie:

This letter, and the enclosed letter and attachments from my client, Dale Sobek, will serve as our response to your letter of January 4, 1990.

As you should be aware, my client originally began a characterization of this property in 1987 on his own when he hired Earthmetrics to prepare their original investigation dated February 1, 1988.

Shortly thereafter in 1988 Mr. Sobek began the process of rezoning the property. Because an E.I.R. was required by the City of Fremont, Mr. Sobek, the City, and the City's environmental consultants at the time, Urban Development/ENSCO, agreed that ENSCO would perform any further site investigation as part of its work on the E.R.I..

This was approved in writing by ENSCO and the City's planning and environment staff at the time, and the City was paid for the work to be done by its consultants by Mr. Sobek.

Steven R. Ritchie
January 9, 1990
Page 2

For some unknown reason a full work plan site characterization and closure plan was apparently never provided by ENSCO. There were various personnel changes at the City and their general consultant, unknown to Mr. Sobek, that may have affected this process.

On November 28, 1989, after the meeting with the City and your staff of November 11, 1989, the City supplied me with a copy of the enclosed "Closure Plan" from ENSCO dated November 10, 1989.

This work plan was promptly submitted on November 30, 1989 to Mr. Feldman for his written comments as to its adequacy. We never received any written response from him until your letter of January 4, 1990.

In the meantime, immediately after the meeting of November 11, 1989 Mr. Sobek requested work plans for this matter from Levine-Fricke and Tetra-Tech. (A copy of the Levine-Fricke work plan is attached to Mr. Sobek's enclosed letter, and a copy of the Tetra-Tech work plan is attached to this letter.)

Both of these work plans were promptly submitted to the City of Fremont for their review and comment on December 13, 1989. No written or oral response to these work plans was ever submitted by the City of Fremont.

However, on January 4, 1990 we received a ENSCO letter, dated December 13, 1989 from the City indicating that a work plan would be submitted from ENSCO by January 12, 1990.

As you will note from the above, Mr. Sobek has been making substantial efforts to prepare a work plan/closure plan for the above property.

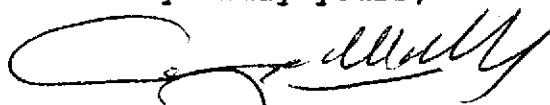
Because of the failure of ENSCO to provide a timely plan as agreed, Mr. Sobek has already begun to proceed with the Levine-Fricke plan with the Alameda County Water District, as is described in his attached letter.

Additionally, due to your letter of the 4th and the failure of the City to respond to the Levine-Fricke or Tetra-Tech work plans, we are herewith forwarding the Levine-Fricke work plan/closure plan to you, the Department of Health Services and the

Steven R. Ritchie
January 9, 1990
Page 3

If we do not receive specific written comments upon or changes to this proposed work plan from you by January 16, 1990, Mr. Sobek shall proceed to implement it as soon as possible.

Very truly yours,



George W. Wolff

GWW:mw

enclosures: Wolff letters of November 30th (2), December 13, 1989; City of Fremont letters of November 20 (2), 21, 27, 1989; Note of January 4, 1990; and ENSCO letters of November 10th, December 13, 1989; Tetra-Tech work plan; Sobek letter; Levine-Fricke work plan.
by certified mail

cc: Alameda County Water Dept.
Alameda County Health Dept.
Department of Health Services,
enclosures: Sobek letter, Levine-Fricke work plan
by certified mail
cc: Mr. Sobek
Mr. Lulofs

Received from
County Health Department
3/16/90

January 8, 1990

Mr. Steven R. Ritchie, Executive Officer
California Regional Water Quality Control Board
San Francisco Bay Region
1500 Harrison Street, Suite 700
Oakland, CA 94612

RE: 6000 S Corporation

Dear Mr. Ritchie:

On receipt of your letter to me dated January 4, 1990, I contacted my attorney Mr. George Wolff to ask him to send copies of the revised Closure Plan by Levine-Fricke, which was directed to be sent to the City of Fremont et al. on December 12, 1989.

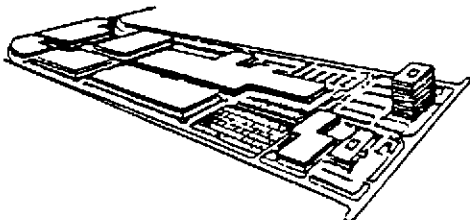
I believe this new plan is detailed and comprehensive and responds directly to all of the concerns outlined in your letter.

Although we have not had any response from the City of Fremont on this "important matter", I have proceeded to close the three on-site wells under the direction of ACWD, Levine-Fricke and The Haz-Mat Division of the City of Fremont.

Samples of water have been taken from all wells and have been submitted to outside laboratories for testing. If the test results are acceptable, I plan to obtain a permit to close the wells from ACWD and do so as soon as DeLucci Co. can perform the closure. Testing results are supposed to be available by January 15, 1990.

Present during the sampling process of the three wells were:

Mr. Bob Roat	Levine-Fricke
Mr. Jim Ingle	ACWD
Ms. Linda Vrable	Haz-Mat, City of Fremont
Ms. Vrable's Assistant (name unknown)	Haz-Mat, City of Fremont
Mr. Ron Goiorani	6000 S Corporation, Site Mgr.
Mr. Dale W. Sobek	6000 S Corporation, President



6000 S CORPORATION

6000 STEVENSON BOULEVARD

FREMONT, CALIFORNIA 94538

(415) 657-7633

Concerning:

- 1 - Foundry sand
- 2 - 200 drums
- 3 - Above ground tank

These items are being re-addressed by ENSCO, who did the original E.I.R. site work under contract with the City of Fremont. Since the Closure Plan was not completed pursuant to the contract, it is now in process. As of December 27, 1989 at 11:00 A.M., I met at the site with Mr. Allen Lund, Program Manager (415) 659-0404, and Mr. Timothy Loeb, Environmental Specialist (415) 659-0404 of ENSCO, and spent three hours reviewing the three items you listed plus several items that needed to be included in the report. They indicated completion of a revised report in ten days.

Mr. Ritchie, I have been trying since June 1989 to get this E.I.R. finalized. I have a 150,000 s.f. (vacant) building awaiting the completion of the work so I can earn money to exist from my unleased property. The E.I.R. was to have been completed in April of 1989, and has been delayed repeatedly by others---not D. Sobek and not 6000 S Corporation. You should know I advanced \$70,000 in November 1988 to the City of Fremont to handle this matter. The contracts are available to you on request.

You may be able to get the feeling that I do not need the incentive threats of \$1000 fines to get this work done. All I need is some co-operation, consistent effort by the city of Fremont and all the other tax-supported entities involved, and I am going to mediate the problem as expeditiously as humanly possible.

A copy of the Levine-Fricke draft sent to the City of Fremont on December 12, 1989 is enclosed for your review. Please comment if this is an acceptable proposal to your group.

Sincerely

Dale W. Sobek
President

DWS:g

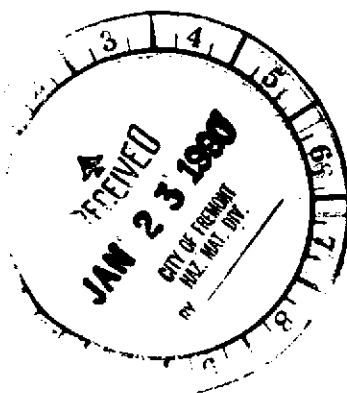
cc: G. F. Duerig-ACWD
Tom Peacock-Alameda County Health Dept.
Howard Hatayama-Dept. of Health Services

Encl. (1) 12/5/89 Levine-Fricke Report

SANTA CLARA COUNTY REGIONAL WATER QUALITY CONTROL BOARD

SAN FRANCISCO BAY REGION
1000 MARIN STREET, SUITE 700
FREMONT, CA 94612

Phone: Area Code 415
484-1256



January 4, 1990

File No. 2223.09 (LF)

Dale W. Sobek, Principal
6000 S Corporation
6000 Stevenson Boulevard
Fremont, CA 94538

SUBJECT: Request for Technical Report for 6000 S Corporation, Fremont

Dear Mr. Sobek:

This letter is written in response to a letter dated November 30, 1989 addressed to Lester Feldman of my staff from your attorney, Mr. George W. Wolff. Your letter submitted what was referred to as a "closure plan" for the site at 6000 Stevenson Boulevard. This was submitted in response to a request made by my staff at a meeting at the City of Fremont on November 13, 1989. Your plan is not comprehensive enough to respond to staff requests, and is therefore unacceptable. This was stated to Mr. Wolff by telephone on December 5, 1989 by Mr. Feldman of my staff.

In a letter dated August 22, 1989, from Ms. G.F. Duerig of the Alameda County Water District, you were made aware of water quality concerns for the subject site. This letter outlined the contaminants found at the site by Ensco in their June 6, 1989 report. Ensco reported that site soils contained total petroleum hydrocarbons, volatile organic chemicals, PCBs, and oil and grease. As indicated by the Water District letter these contaminants pose a threat to the area's drinking water. The presence of three deep wells at the site, which may be acting as conduits for the migration of ground water pollution, further compounds this threat.

The Water District staff recommended that you do the following:

1. Identify and abate any ongoing release(s).
2. Purge and destroy the three abandoned on-site wells.
3. Initiate a soil and ground water investigation.
4. Evaluate and implement a comprehensive remedial plan.

In addition, a review of site conditions conducted by the California Department of Health Services, dated March 15, 1988, discussed potential threats to the environment located at this site. The City of Fremont staff have also expressed concerns about hazardous and other waste which may have been released on the site, threatening to pollute. These concerns include:

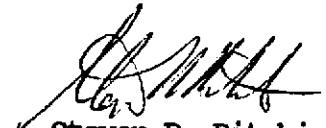
1. Foundry Molding Sands containing heavy metals.
2. Approximately 250 storage drums.
3. A former above-ground storage tank.

These site concerns suggest the need for a full site soil characterization study and a review of rainfall runoff water quality.

I am not aware of any progress you have made in response to the above requests. Therefore, pursuant to the Regional Board's authority under Section 13267 of the California Water Code, you are hereby required to submit a Work Plan delineating steps to be taken to timely respond to the aforementioned recommendations and concerns of the Alameda County Water District, the California Department of Health Services, and the City of Fremont. This Work Plan is due to my office by January 22, 1989. You should be aware that failure to submit or late submittal may result in fines up to \$1000 per day of delinquency.

Please submit a copy of the Work Plan to the Alameda County Water District, the California Department of Health Services, the Alameda County Health Department, and the City of Fremont. Please coordinate the well closures with the Alameda County Water District. You may contact Lester Feldman or Richard Hiatt of my staff at (415) 464-1255 if there are any questions.

Sincerely,



Steven R. Ritchie,
Executive Officer

cc:

George W. Wolff, Attorney
Gil Jensen, Alameda County District Attorney's Office
G.F. Duerig, Alameda County Water District
Elizabeth Stowe, City of Fremont
Tom Peacock, Alameda County Health Department
Howard Hatayama, California Department of Health Services

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD**SAN FRANCISCO BAY REGION**1800 HARRISON STREET, SUITE 700
OAKLAND, CA 94612Phone: Area Code 415
484-1255

90 JAN -5 AM 11:28

January 4, 1990

File No. 2223.09(LF)

Dale W. Sobek, Principal
6000 S Corporation
6000 Stevenson Boulevard
Fremont, CA 94538

SUBJECT: Request for Technical Report for 6000 S Corporation, Fremont

Dear Mr. Sobek:

This letter is written in response to a letter dated November 30, 1989 addressed to Lester Feldman of my staff from your attorney, Mr. George W. Wolff. Your letter submitted what was referred to as a "closure plan" for the site at 6000 Stevenson Boulevard. This was submitted in response to a request made by my staff at a meeting at the City of Fremont on November 13, 1989. Your plan is not comprehensive enough to respond to staff requests, and is therefore unacceptable. This was stated to Mr. Wolff by telephone on December 5, 1989 by Mr. Feldman of my staff.

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The Water District staff recommended that you do the following:

1. Identify and abate any ongoing release(s).
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3. Initiate a soil and ground water investigation.
4. Evaluate and implement a comprehensive remedial plan.

In addition, a review of site conditions conducted by the California Department of Health Services, dated March 15, 1988, discussed potential threats to the environment located at this site. The City of Fremont staff have also expressed concerns about hazardous and other waste which may have been released on the site, threatening to pollute. These concerns include:

1. Foundry Molding Sands containing heavy metals.
2. Approximately 250 storage drums.
3. A former above-ground storage tank.

These site concerns suggest the need for a full site soil characterization study and a review of rainfall runoff water quality.

I am not aware of any progress you have made in response to the above requests. Therefore, pursuant to the Regional Board's authority under Section 13267 of the California Water Code, you are hereby required to submit a Work Plan delineating steps to be taken to timely respond to the aforementioned recommendations and concerns of the Alameda County Water District, the California Department of Health Services, and the City of Fremont. This Work Plan is due to my office by January 22, 1989. You should be aware that failure to submit or late submittal may result in fines up to \$1000 per day of delinquency.

Please submit a copy of the Work Plan to the Alameda County Water District, the California Department of Health Services, the Alameda County Health Department, and the City of Fremont. Please coordinate the well closures with the Alameda County Water District. You may contact Lester Feldman or Richard Hiatt of my staff at (415) 464-1255 if there are any questions.

Sincerely,



Steven R. Ritchie,
Executive Officer

cc:

George W. Wolff, Attorney
Gil Jensen, Alameda County District Attorney's Office
G.F. Duerig, Alameda County Water District
Elizabeth Stowe, City of Fremont
Tom Peacock, Alameda County Health Department
Howard Hatayama, California Department of Health Services

December 19, 1989

MEETING REGARDING SOBEK SITE

RE; 6000 STEVENSON BOULEVARD

Ensco- Allen Lund, Joy Alman, Gary Malkey

WRT- Ann Marie Dietzen

COF- Paulette Garcia, Janet Harbin, Len Banda, Elizabeth Stowe

I restated my position. There is a multitude of known and suspected environmental problems which must be addressed. There is not an existing, adequate Closure Plan for the site.

There was a general discussion of what is a "Closure Plan." We all agreed they did an acceptable site assessment. Ensco agreed to redo their submittal to address each of the specific tasks in their May 20 letter.

The Hazmat Division will review and comment on the new submittal. Ensco may review the files at the City if they so choose.

GEORGE WILLIAM WOLFF
ATTORNEY AT LAW
DANTE BUILDING
1606 STOCKTON STREET, SUITE 302
WASHINGTON SQUARE
SAN FRANCISCO, CALIFORNIA 94133-0100

TELEPHONE
(415) 788-1881
FACSIMILE
(415) 788-3932

December 13, 1989

Paulette Garcia
City of Fremont
City Attorney's Office
39100 Liberty Street
Fremont, CA 94538



Re: 6000 Stevenson Boulevard Report

Dear Ms. Garcia:

Because we have heard nothing further regarding any work, or plan of work, by ENSCO on a Closure Plan for the above property, Mr. Sobek is forced to retain another consultant.

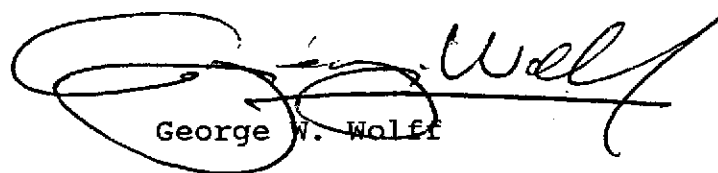
Accordingly, we have obtained proposals from Levine & Fricke and Tetra-Tech., Inc. to perform this work.

Enclosed are copies of the proposals from each of these consultants for your review and comment and that of the appropriate City of Fremont staff persons.

We would like to receive your comments as soon as possible, as Mr. Sobek plans to commence this work in the next seven (7) days.

Thank you for your anticipated cooperation on this matter.

Very truly yours,


George W. Wolff

GWW:mw
enclosure
by express mail
cc: Mr. Sobek
Ms. Stowe
Ms. Harbin
5062

**ensco
environmental
services, inc.**

a subsidiary of environmental system company

December 13, 1989

City of Fremont
Hazardous Materials Program
39572 Stevenson Place, Suite 125
Fremont, CA. 94539-3075

Attention: Ms. Elizabeth Stowe

Subject: Closure Plan For 6000 S Corporation
6000 Stevenson Boulevard, Fremont, California
EES Project No. 1706G

Dear Ms. Stowe:

Ensco Environmental Services, Inc. (EES) is pleased to submit this letter summarizing our meeting with the City of Fremont on December 8, 1989. Present at the meeting and representing the City of Fremont were Elizabeth Stowe, Leonard Banda, Janet Harbin, and Paulette Garcia. Annemarie Dietzgen represented Wallace, Roberts and Todd; and Gary Mulkey, Jay Alman, and Allen Lund represented EES.

The purpose of the meeting was to address concerns from the City of Fremont regarding the lack of a closure plan for the Sobek property as outlined in the EES proposal dated May 20, 1988. A review of the proposal history and project background were discussed. As a result of these discussions, the City indicated its belief that EES (a) had not fulfilled its contractual agreement to include a closure plan in its preliminary environmental assessment of the 6000 S Corporation property, and (b) had not addressed all issues adequately.

It was agreed that EES would submit a closure plan with the initial report. The closure plan will include, among other things, the following:

- Plan for destroying the deep wells on the property following Alameda County Water District guidelines.
- Recommendation for determining the lateral extent of soil and groundwater contamination. This plan will include areas for placing borings and wells.
- Sampling plan for obtaining soil and groundwater samples, including test methods and laboratory to be used.
- Plan for decontamination of existing areas and post-cleanup sampling.
- Documentation of Material Safety Data Sheets (MSDS) and any manifests for material transported off-site.

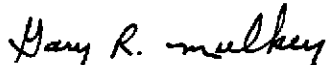
ensco environmental services, inc.

City of Fremont
Project No. 1706G
Page 2

EES is prepared to start work immediately and will present a draft document to the City on January 12, 1990. EES has every intention of fulfilling its agreement with the City of Fremont and will work in cooperation with City officials to bring this matter to a satisfactory conclusion.

If you have any questions, please call our office.

Sincerely,
Ensco Environmental Services, Inc.



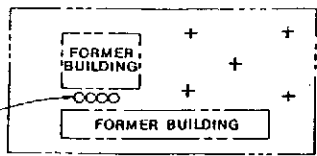
Gary R. Mulkey, R.E.A. 311
Manager, Geoscience Department

GRM/sw

cc: Paulette B. Garcia - City of Fremont
Annemarie Dietzgen - Wallace, Roberts & Todd

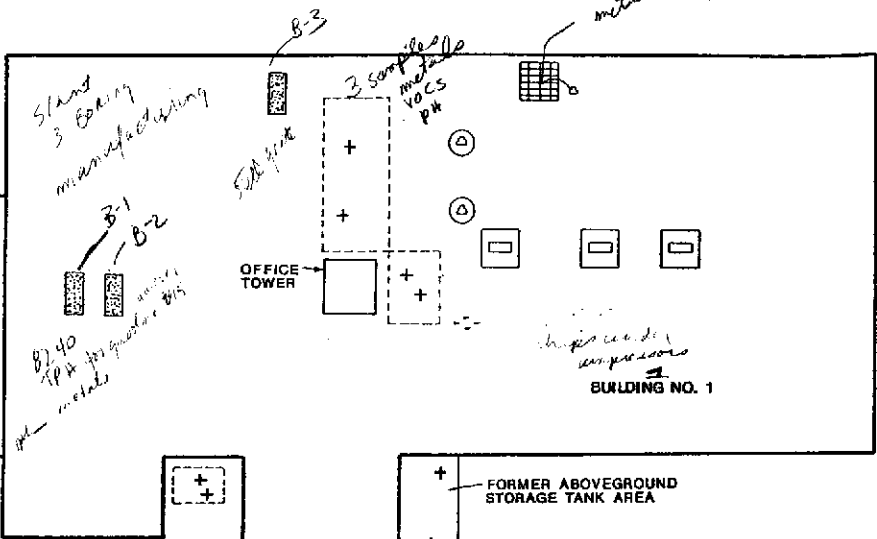
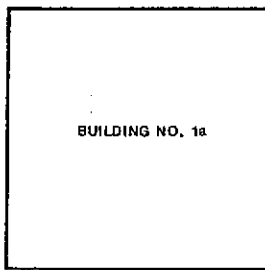
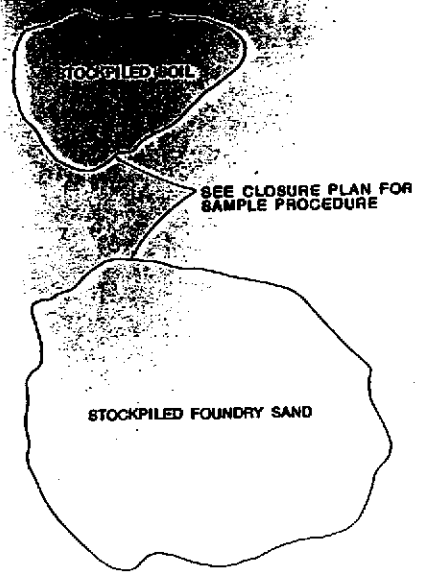
To verify a surface
 lateral and vertical
 3 soil borings
 Borehole
 TPA
 TOG JTPH, B240, B270
 Major contamination of
 Borehole
 Borehole
 Borehole

FORMER CALIFORNIA OIL
 RECYCLERS FACILITY



HOME DEPOT BUILDING

APPROXIMATE LOCATION
 ABOVEGROUND 10,000
 GAL. TANK



LEGEND

- △ PROPOSED SURFACE SAMPLE LOCATION
- ✦ PROPOSED BORING LOCATION
- FORMER WELDING PIT
- FORMER AIR BLASTING PIT
- FORMER DRUMMED WASTE STORAGE AREAS
- CURRENT DRUMMED WASTE STORAGE AREAS
- SUSPENDED AIR DUCTS



SAMPLING LOCATIONS FOR CLOSURE PLAN

Living & Frick
 6000 S CORPORATION
 SOBEK PROPERTY, 6000 STEVENSON BOULEVARD
 FREMONT, CALIFORNIA

REVIEWED BY:	APPROVED BY:
DESIGNED BY:	DATE:
JOB #:	DRAWN BY:
DATE:	DRAWING #:

NOT TO SCALE

left out
 exterior storage
 areas



T.P.
89 NOV 31 AM 10:49

City of Fremont

Public Works Department
Hazardous Materials Division
39572 Stevenson Place, Suite 125
Fremont, California 94539 - 3075

(415) 791 - 4279

November 29, 1989

Mr. Dale Sobek
6000 S Corporation
6000 Stevenson Boulevard
Fremont, CA 94538

Re: Meeting November 13, 1989

Dear Mr. Sobek:

At your request, I arranged a meeting for 11:00 a.m. November 13 to discuss what must be done to bring the property at 6000 Stevenson Boulevard, Fremont into compliance with regulations relating to environmental protection and hazardous materials. In attendance were myself, Charles Caulfield, Linda Vrabel, Janet Harbin, Len Banda and Paulette Garcia from City staff; Jill Duerig from the Alameda County Water District; Lester Feldman and Rich Hiatt from the Regional Water Quality Control Board; Tom Peacock from the Alameda County Health Department; yourself and George Wolff, your attorney.

You brought a printed agenda, but it was not adhered to during the meeting. However, some issues listed on the agenda were addressed. Specifically:

- o As the identified Responsible Party, you remain obligated to appropriately characterize and remediate the environmental contamination on site;
- o You have thirty days to submit to the appropriate agencies a detailed plan for properly closing the three groundwater wells on site;
- o the foundry sand (you stated there is 2000 cubic yards) that has been disposed of on site is a special waste under Title 22 of CCR and must be adequately characterized and/or properly disposed of in a Class I landfill; and
- o all business activities on site must be properly permitted and no permits for wholesale/retail auto sales have been approved.

In addition to these items, several other topics were addressed. There was a discussion of the Ensco contribution to the EIR under preparation for your proposed development, but no agreement was reached. You stated you were withdrawing your request for further development of the site and requested a refund of the remainder of your deposit. You were requested to submit your formal notice and request in writing.

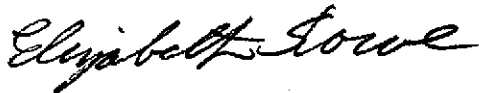
You expressed concerns about the money already spent on this property. Paulette suggested there may be some confusion between resources invested in development plans and what is required to adequately address the issue of site characterization and remediation.



Lester expressed his concern, under the California Water Code, of the potential threat to water quality that exists on site. There is substantial concern that the full extent of soil and water contamination on site is not being adequately addressed. Lester warned he considers the site, especially in light of the PCB contamination of a deep well, appropriate for listing under Superfund statutes.

There was mention of other concerns, including the improper storage and disposal of hazardous wastes. There remain serious questions about a sunken pit that may have existed and aboveground and underground tanks that are or were on-site.

Sincerely,

A handwritten signature in cursive script, reading "Elizabeth Stowe".

ELIZABETH STOWE
Hazardous Materials
Program Administrator

cc: Paulette Garcia, Deputy City Attorney
Gil Jensen, Deputy District Attorney
Lester Feldman, Regional Water Quality Control Board
Tom Peacock, Alameda County Health Dept.
George Wolff, Attorney
Jill Duerig, Alameda County Water District



a subsidiary of environmental system company

November 10, 1989

City of Fremont Public Works Department
Hazardous Materials Division
39572 Stevenson Place
Fremont, CA 94539-3075

Attention: Ms. Janet Harbin

Subject: Recommendations for Well and Tank Closures and Stockpile Characterization
6000S Property Corporation
6000 Stevenson Boulevard, Fremont, California
EES Project No. 1706G

Dear Ms. Harbin:

In response to our conversation of October 30, 1989, Ensco Environmental Services, Inc. (EES) is submitting this letter to present information for closure of three industrial wells and an aboveground storage tank at the subject site. Recommendations for the characterization of stockpiled foundry sand located at property owned by the 6000S Corporation south of the intersection of Stevenson Boulevard and Albrae Street in the City of Fremont, Alameda County, California are also included.

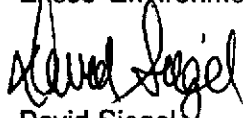
- Closure of wells. Three industrial wells have been identified at the site. Two of these are accessible and have been sampled for chemical analyses. The results are presented in an EES report dated June 6, 1989. A third well is located under a concrete slab formerly used as a loading dock and its exact location is not known. These three wells should be properly abandoned following permitting and approval by Alameda County Water District (ACWD). Excavation of at least part of the concrete slab will be required to expose the covered well. A licensed well driller capable of drilling out casing to a depth of approximately 600 feet should be contracted to properly abandon and seal the wells. Drilling companies such as De Lucchi Well and Pump Inc. in Fremont, California or Groundwater Development in Woodland, California are available locally to accomplish this work.
- Closure of aboveground storage tank. An aboveground 10,000-gallon steel tank is located at the site. This tank, which we assume is empty, was used to store a chemical group referred to as isocyanates. These chemicals are hazardous materials and the tank in its current state is also considered hazardous according to Title 22, California Administrative Code (CAC).

To dispose of the tank, it must first be "triple-rinsed" by steam cleaning. The rinseate should be collected for disposal as hazardous waste if subsequent laboratory testing should indicate that this is necessary. After this cleaning procedure, the tank can be cut up and disposed of as scrap metal.

- Foundry sand stockpile sampling and analysis. EES obtained one composite sample from soil stockpiles located in an undeveloped area of the site east of the existing buildings. We understand that this material is sand from metal foundry casting. This material is a special waste listed in Title 22, CAC, Article 11, Section 66740. The sample was analyzed for Soluble Threshold Limit concentrations (STLC) for 17 metals and results indicated concentrations below regulatory limits listed in Title 22, Section 66999 and in Section 66305 for lead. In order to characterize a material as nonhazardous, Environmental Protection Agency Document SW-846 requires a minimum of four samples to be collected and analyzed from a solid waste. The subject material all appear to have been generated in the same process and appear to be generally homogeneous. Since one sample has already been collected, it is recommended that three additional composite samples be acquired and tested for STLC metals concentration as before. Iron is not one of the regulated elements used to determine whether a material is hazardous.

If there are any questions, please call.

Sincerely,
Ensco Environmental Services, Inc.



David Siegel
Project Geologist

DS/LDP/sw



Lawrence D. Pavlak, C.E.G. 1187
Senior Program Geologist



City of Fremont

Public Works Department
Hazardous Materials Division
39572 Stevenson Place, Suite 125
Fremont, California 94539 - 3075

(415) 791 - 4279

September 25, 1989

Janet Harbin
39700 Civic Center Drive
City Government Building
Planning Dept.
Fremont, Ca 94537

Re: 6000 STEVENSON BOULEVARD

Dear Janet,

On August 15, 1989 I received a copy of a letter dated August 14 from Mr. Dale Sobek regarding the report "Owner Critique - EIR Report dated June 1989." Per your request, I reviewed the "Critique" and my comments follow. I have tried to address each specific item in the order that was identified by Sobek. While I referred to the file frequently, this memo is not intended as a detailed review of the complete file.

Item 1: Attachment "A"

I reviewed the entire submittal from Sobek, including all attachments.

Item 2: Introductory Page (Attachment B)

Please request a copy of "A recent Preliminary Title Report" from Sobek for the file. My understanding is that Sobek is the majority owner of 6000 S Corporation and, therefore remains responsible for cleanup of the environmental contamination problems on-site.

Item 3: Page 2, Para. 1

From a variety of sources there is extensive, but incomplete, information available regarding this site.

Item 4: Page 2, Para. 3

No comment

Item 5: Page 3, Para. 1

Our files indicate that California Oil Recyclers used a sump within a barrier located near an area identified as the "Off-Load Area." This sump area is a matter of concern because it may be a source of significant contamination.

Item 6: Page 3, Para. 2 (Attachment "C")

Exceltech Incorporated was the precursor company to ENSCO. They have substantial information on file relative to the gas tank closure done for Golden Gate Auto.

Item 7: Page 3, Para. 3 (Attachment "D")

There is NOT sufficient information to characterize the foundry sand as non-hazardous material. The report could not be deemed complete without addressing this serious



issue.

Correspondence dated January 8, 1987 to Sobek from American Brass & Iron Foundry states that the sand delivered to the property as landfill is a mixture of foundry molding sands. The sand was used in a molding process and that gray cast iron was poured into the molds. More information is required before a determination under Title 22 can be made.

The California Administrative Code (CAC) Title 22, Division 4, Section 66740 lists sand from foundry castings as a special waste. Section 66746 (d) states that the generator of a special waste is subject to all the generator requirements of that chapter. A regulated waste requires disposal as a hazardous waste in accordance with applicable regulations.

The sand was chemically analyzed in January 1986. One sample was tested for Total Threshold Limit Concentrations (TTLC) of heavy metals in accordance with CAC, Title 22, Division 4, Section 66699. This same sample was analyzed by the Waste Extraction Test (WET) and the Soluble Threshold Limit Concentrations (STLC) Test in accordance with CAC, Title 22, Division 4, Section 66693. The sample was not analyzed for iron which may have been added to the mold.

Due to the magnitude of the stockpile on-site, one sample cannot adequately characterize the entire volume of material. **Collection and analysis of a single sample neither adequately represents the waste stream, nor can it delist the waste.**

To provide suitable data to justify labeling the waste as non-hazardous, under the direct regulatory oversight, one composite sample must be collected and analyzed for every thirty cubic yards of material. Each composite sample must consist of four separate soil samples collected using appropriate sampling protocols. The samples must remain separate until they are combined at a State-Certified Hazardous Waste Testing Laboratory prior to analysis. Each sample required must be collected from four equal sectors and must be collected at variable depths.

Item 8: Page 3, Para. 4 (Attachment E)

- 1 - The letter from the California Department of Health Services (DHS) is public information and is appropriate for review as related to this site. At the August 5, 1989 meeting, Sobek's consultants (at that time) were invited to review the HazMat files and they declined. It is my understanding that the Kivel Stadt Group has terminated their consulting relationship with Sobek.
- 2 - The EPA Test Method 8240 can detect dichlorodifluoromethane (Freon 12) at a detection limit of one part per billion (ppb) in soil. The EPA Test Method 8270 can detect toluene diisocyanate (TDI) in soil. Mr. Kusam Perera, a Quality Assurance Officer with DHS's Toxic Control Division Laboratory, confirmed this information during an August 23 telephone conversation.

There may be a typographical error in this section. The compound commonly referred to as MDI is methylene diphenylene diisocyanate. The EPA Test Method 8310, and LC method, can detect MDI. These were not target analyses of the referenced tests.

Item 9: Page 4, Para. 1

Sobek was not specific as to which of the reference chemicals he believes are not carcinogens or suspected carcinogens. I agree with the report that the referenced chemicals are correctly characterized.

DHS and EPA laboratories routinely analyze for polychlorinated biphenyls (PCB) in water. The specific gravity of PCB is greater than water, therefore it has a tendency to migrate vertically through an unsaturated zone (vadose) into the lower, saturated zone. PCB are commonly referred to as "sinkers" in contrast to many volatile solvents which are often called "floaters." As in this case, PCB frequently present a very serious threat to groundwater aquifers.

An August 22, 1989 letter from the Alameda County Water District (ACWD) to Sobek stated that significant levels of contamination exist at this site. "A sample taken from

an existing on-site 586-foot well contained 10 ppb Aroclor 1254 (a PCB)." This is a very serious matter.

The water Code, Section 13271, specifically required that a person having knowledge of discharge of hazardous substances must immediately report this knowledge to the Regional Water Quality Control Board. Failure to provide the required notice is a misdemeanor and may be punished by a fine or not more than twenty thousand dollars or imprisonment for not more than one year, or both.

Item 10: Page 4, Site Investigation (Attachment "F")

Sobek states that "He has more direct knowledge of the site, its history of uses and construction on this site than any other person." This is a very disturbing statement considering the environmental contamination on-site.

Sobek has had at least three soil engineers perform work on this site as documented in one report dated January 12, 1988, revised February 1, 1989. Correspondence to Sobek dated January 12, 1988 refers to this work as geotechnical in nature. Compaction testing was performed in two of the investigations. These reports do NOT constitute a site characterization investigation.

The Woodward-Clyde Consultants' 1980 report did not evaluate the possible existence of contaminants in the soil. The 1984 GEI report did not evaluate the existence of contaminants in the soil. The compaction testing performed by GEI in 1985 did not evaluate the existence of contaminants in the imported foundry sand. In addition, the density testing performed in October 1986 by Alacon Incorporated did not evaluate the possible existence of contaminants on-site. Since none of these reports are relevant to the hazardous materials evaluation section of the EIR, there appears no reason to include them.

Item 11: Page 5, Para. 2 (Attachment "G")

I have reviewed Attachment "G" and found it very interesting, but it does not support the claims of no on-site contamination. The Carter Analytical Laboratory analyzed the samples for inorganics only. The report stated that "the operational well sample contains large amounts of oil. We strongly recommend an additional analysis to determine the concentration and type of oil present in the water sample." Please ask Sobek why this was not done.

This matter is of grave concern because an impartial laboratory indicates the presence of large amounts of oil in the sample collected from the well. The presence of petroleum products in a deep well poses a serious threat to the aquifer which is used as a source of potable water for the community. The well should have been immediately resampled under proper procedures. A documented sample should be tested for total oil and grease. Records indicate that Sobek has not notified the proper authorities regarding this very serious matter.

Item 12: Page 6, Para. 1

A complete closure plan for the aboveground storage tank must be filed with this office prior to its disposal. Since Sobek indicates that he is now willing to comply with the applicable regulations, please notify him to proceed as quickly as possible. The safe, legal disposal of this tank is a serious matter and does not depend on the status of any EIR or site development.

Item 13: Page 6, Para. 2

No comment

Item 14: Page 6, Para. 4 (Attachment "H")

A complete closure plan for ALL sumps and pits on-site must be filed with this office prior to their disposal. Since Sobek indicates that he is now willing to comply with the

applicable regulations, please notify him to proceed as quickly as possible. The safe, legal disposal of these sumps (pits) and the hazardous wastes left in them is a serious matter and does not depend on the status of any EIR or site development.

Item 15: Page 6, Last Para. (Attachment "I")

The material in Attachment I is not adequate inventory, nor does it properly characterize the chemicals involved. The manifest information does not include all of the items required by EPA. The Material Safety Data Sheets (MSDS) are lacking pertinent information as to hazards, handling and disposal. They appear to be missing one or more pages. The inventory statements to ROVANCO are not supported with proper documentation.

In order to completely evaluate Attachment I, additional information is needed. A complete inventory statement including criteria listed on pages 3, 4 and 5 of Fremont's instructions for completing a Hazardous Materials Management Plan (HMMP) and a complete HMMP. A Hazardous Waste Inventory Statement must be completed. Copies of all documented and complete hazardous wastes manifests need to be submitted in a format which can be reviewed in detail. Once all the required, accurate information has been received, then a complete evaluation can be made.

Item 16: Page 7, Para. 2

I did not understand this reference to imparting "validity to it rather than doubt, misunderstanding mystery to basic facts."

Item 17: Page 7, Para. 3 (Attachment "J")

Sobek's statement is not correct.

I have requested that all hazardous materials, including wastes on-site, be properly identified and reported to this office. This has not been done. Despite several requests, there still is not a correct, complete HMMP on file in this office.

Item 18: Page 7, Last Para.

Please see earlier comments. The hazardous materials that are or were handled on this site have not been properly categorized and characterized.

Item 19: Page 8, Para. 1

There were fibre drums on-site during the last inspection by myself and the Alameda County Environmental Health Department (ACEHD). A report on what happened to them and properly identifying what was in them must be filed. At the time of the inspection, Sobek indicated that he didn't know what exactly was in them, but he was sure they were not hazardous. This is not adequate documentation.

The cylinders listed should be stored according to the appropriate codes. The tanks that contain hazardous materials should be disposed of correctly and documentation provided to this office and ACHED.

Item 20: Page 8, Para. 2

The context of this statement is not clear. Please ask Sobek to identify what were in the drums referred to and how they were "cleaned".

Item 21: Page 8, Para. 3

This information is relevant when considering this site.

Item 22: Page 8, Last Para. carried on to page 9

During the August 9 meeting, Sobek referred to several aboveground storage tanks on-site. The file indicates that two 12,000 gallon storage tanks were used by California Oil Recyclers at building 1a from 1978 to 1981. There is no record of their disposal. This is a matter of concern. There has been no testing below and around the tank area to determine what, if any, contamination exist.

This is a matter of concern. There has been no testing below and around the tank area to determine what, if any, contamination exist.

The file indicates that there were three large and three small empty tanks on-site. It was reported that these tanks were to be auctioned off in 1988. No other documentation as to the disposal of these tanks is in the file. The file does indicate that one of the tanks had not been used, but no testing or accurate documentation supports this assertion. One of the tanks was used to blend polyurethane foam (a regulated material) and its disposal is governed by environmental protection regulations. Four other tanks which were used for fuel storage have been decommissioned (ends cut off) and may have been recycled as scrap metal.

A letter from DHS dated March 16, 1988 indicates that during a site inspection a 10,000 aboveground isocyanate drum vessel was observed.

The assertion that "Any disturbed soil on the site is the result of the construction of The Home Depot Store, which was built in 1986 & 1987" needs substantiation. A driveby of the site in early August 1989 clearly showed large dirt piles near the back access gate that were not there during my inspection a few months earlier. Please request from Sobek information as to the source and purpose of this recent soil movement.

Item 23: Page 9, Para. 2

The Earth metrics report does NOT explain the activity mentioned. A clear explanation is essential as part of an adequate site evaluation.

Item 24: Page 10, Para. 1

This photograph portrays historical site information and it is appropriate for inclusion in an EIR and/or site evaluation.

Item 25: Page 10, Para. 4 (Attachment "K")

The items referred to do NOT "verify conformance...to the state rules in effect at this date." Sobek is obligated to clearly demonstrate compliance. Also, refer to my comments in Items 15 and 17.

Item 26: Page 11, Existing Well Supply & Analysis: (Attachment "L")

I agree that the integrity of the referenced sample is suspect. Under regulatory oversight, new samples should be properly drawn according to approved protocols and tested by a State Certified Laboratory.

It is not appropriate to include suspect data in the EIR nor should they be relied upon in the decision making process.

Correspondence dated August 22, 1989 from ACWD indicates that significant levels of contamination exist at this site. This reflects relevant data and it is appropriate to include in an EIR and site evaluation.

The condition of the groundwater and the wells is a very serious concern. There is the possibility that contamination may be using the well holes as transmission pathways. This could threaten a drinking source for thousands of people.

ACWD and Carter laboratory should be asked for their opinion directly so that there is no misunderstanding of their concerns.

Item 27: Page 18, Recommended Action

- 1 - I support the recommendation because the resultant data would be relevant to a site evaluation. Under regulatory oversight, the transformers should be tested by a qualified inspector (selection to be approved in advance) to determine if there

searched for relevant information.

- 2 - Refer to earlier comments.
- 3 - I agree that non-hazardous materials are not a concern. However, the authority to define hazardous materials, including hazardous wastes, does not reside with the property owner, but with the appropriate regulatory agencies.

Item 28: Page 19

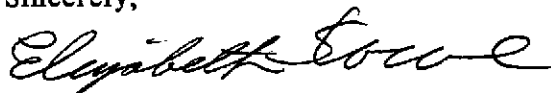
- 4 - It is the responsibility of the property owner to submit complete Closure Plans for approval from this office. This applies to ALL sumps and pits that are or were on site. This responsibility is not related to the status of an EIR or development of this site.
- 5 - A complete environmental assessment of the site is required before sufficient information is available to make decisions about the appropriateness of development for the site. Sobek should submit a detailed plan to make this assessment so that it can be reviewed by the appropriate regulatory agencies.
- 6 - All areas of stained concrete and soil need to be properly investigated, tested, and reviewed.
- 7 - The entire site must be included in a detailed environmental assessment. This would include the open land, beneath existing buildings, parking lots, and groundwater. A good starting place could be a detailed examination of all existing aerial photographs and a review of ALL available records by a qualified consultant. Consultation with any single information source is not adequate.

The existing, serious threat to the drinking water aquifer must not continue to be ignored. The ACWD has requested that the three abandoned wells be properly sealed under and ACWD Well Destruction Permit. This process should be preceded by testing of samples from each of the wells under ACWD and DHS protocols.

Before any more development can be considered for this site, the environmental contamination must be accurately characterized and appropriately remediated.

Continued delay could result in serious consequences and significant negative impacts on the community.

Sincerely,



ELIZABETH STOWE
Hazardous Materials
Program Administrator

cc: Paulette Garcia, Deputy City Attorney



City of Fremont
CALIFORNIA

Scott J. Jany

ALAMEDA COUNTY
DEPT. OF ENVIRONMENTAL HEALTH
HAZARDOUS MATERIALS

memorandum

September 5, 1989

PAULETTE GARCIA

6000 STEVENSON BOULEVARD

On August 15, 1989 I received a copy of a letter dated August 14 from Mr. Dale Sobek regarding the report "Owner Critique - EIR Report dated June 1989." Per your request, I reviewed the "Critique" and my comments follow. I have tried to address each specific item in the order that was identified by Sobek. While I referred to the file frequently, this memo is not intended as a detailed review of the complete file.

Item 1: Attachment "A"

I reviewed the entire submittal from Sobek, including all attachments.

Item 2: Introductory Page (Attachment B)

I would like to have a copy of "A recent Preliminary Title Report" from Sobek for the file. My understanding is that Sobek is the majority owner of 6000 S Corporation and is therefore still responsible for the environmental contamination problems on-site.

Item 3: Page 2, Para. 1

From a variety of sources there is extensive, but incomplete, information available regarding this site.

Item 4: Page 2, Para. 3

No comment

Item 5: Page 3, Para. 1

Our files indicate that California Oil Recyclers used a sump within a barrier located near an area identified as the "Off-Load Area." This sump area is a matter of concern because it may be a source of significant contamination.

Item 6: Page 3, Para. 2 (Attachment "C")

Exceltech Incorporated was the precursor company to ENSCO. They have substantial information on file relative to the gas tank closure done for Golden Gate Auto.

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The water Code, Section 13271, specifically required that a person having knowledge of discharge of hazardous substances must immediately report this knowledge to the Regional Water Quality Control Board. Failure to provide the required notice is a misdemeanor and may be punished by a fine or not more than twenty thousand dollars or imprisonment for not more than one year, or both. Sobek appears to be in multiple violations of this section of the Water Code.

Item 10: Page 4, Site Investigation (Attachment "F")

Sobek states that "He has more direct knowledge of the site, its history of uses and construction on this site than any other person." This is a very disturbing admission, since Sobek has consistently refused to take any approved cleanup measures at the site.

The files indicate that Sobek has had at least three soil engineers perform work on this site as documented in one report dated January 12, 1988, revised February 1, 1989. Correspondence to Sobek dated January 12, 1988 also refers to this work as geotechnical in nature. Compaction testing was performed in two of the investigations. These reports do NOT constitute a site characterization investigation.

The Woodward-Clyde Consultants' 1980 report did not evaluate the possible existence of contaminants in the soil. The 1984 GEI report did not evaluate the existence of contaminants in the soil. The compaction testing performed by GEI in 1985 did not evaluate the existence of contaminants in the imported foundry sand. In addition, the density testing performed in October 1986 by Alacon Incorporated did not evaluate the possible existence of contaminants on-site. Since none of these reports are relevant to the hazardous materials evaluation section of the EIR, there appears no reason to include them.

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This matter is of grave concern because an impartial laboratory indicates the presence of large amounts of oil in the sample collected from the well. The presence of petroleum products in a deep well poses a serious threat to the aquifer which is used as a source of potable water for the community. The well should have been immediately resampled following proper procedures. A documented sample should be tested for total oil and grease. My records indicate that Sobek has not notified the proper authorities regarding this very serious matter.

Item 12: Page 6, Para. 1

A complete closure plan for the aboveground storage tank must be filed with this office prior to its disposal. Since Sobek indicates that he is now willing to comply with the applicable regulations, he should proceed as quickly as possible. The safe, legal disposal of this tank is a serious matter and does not depend on the status of any EIR or site development.

Item 13: Page 6, Para. 2

No comment

Item 14: Page 6, Para. 4 (Attachment "H")

A complete closure plan for ALL sumps and pits on-site must be filed with this office prior to their disposal. Since Sobek indicates that he is now willing to comply with the applicable regulations, he should proceed as quickly as possible. The safe, legal disposal of these sumps (pits) and the hazardous wastes left in them is a serious matter and does not depend on the status of any EIR or site development.

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The material in Attachment I is not adequate inventory, nor does it properly characterize the chemicals involved. The manifest information does not include all of the items required by EPA. The Material Safety Data Sheets (MSDS) are lacking pertinent information as to hazards, handling and disposal. They appear to be missing one or more pages. The inventory statements to ROVANCO are not supported with proper documentation.

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Sobek has already been informed that this information should be submitted and he has not done so despite repeated requests.

Item 16: Page 7, Para. 2

I did not understand this reference to imparting "validity to it rather than doubt, misunderstanding mystery to basic facts."

Item 17: Page 7, Para. 3 (Attachment "J")

Sobek's statement is not correct.

I have requested that all hazardous materials, including wastes on-site, be properly identified and reported to this office. This has not been done. Despite several requests, Sobek still does not have a correct, complete HMMP on file in this office.

Item 18: Page 7, Last Para.

Please see earlier comments. Sobek has not properly categorized the hazardous materials that are or were handled on this site.

Item 19: Page 8, Para. 1

There were fibre drums on-site during the last inspection by myself and the Alameda County Environmental Health Department (ACEHD). Sobek should report what happened to them and properly identify what was in them. At the time of the inspection, he indicated that he didn't know what exactly was in them, but he was sure they were not hazardous. This is not adequate documentation.

The cylinders listed should be stored according to the appropriate codes. The tanks that contain hazardous materials should be disposed of correctly and documentation provided to this office and ACHED.

Item 20: Page 8, Para. 2

The context of this statement is not clear. What were in the drums referred to? How were they "cleaned"?

Item 21: Page 8, Para. 3

This information is relevant when considering the site.

Item 22: Page 8, Last Para. carried on to page 9

During the August 9 meeting, Sobek referred to several aboveground storage tanks on-site. The file indicates that two 12,000 gallon storage tanks were used by California Oil Recyclers at building 1a from 1978 to 1981. There is no record of their disposal not even a waste manifest. This is a matter of concern. There has been no testing below and around the tank area to determine what, if any, contamination exist.

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Item 23: Page 9, Para. 2

The Earth metrics report does NOT explain the activity mentioned. A clear explanation is essential as part of an adequate site evaluation.

Item 24: Page 10, Para. 1

This photograph portrays historical site information and it is appropriate for inclusion in an EIR and/or site evaluation.

Item 25: Page 10, Para. 4 (Attachment "K")

The items referred to do NOT "verify conformance...to the state rules in effect at this date." Sobek is obligated to clearly prove compliance. Also, refer to my comments in Items 15 and 17.

Item 26: Page 11, Existing Well Supply & Analysis: (Attachment "L")

I agree that the integrity of the referenced sample is suspect. Under regulatory oversight, new samples should be properly drawn according to approved protocols and tested by a State Certified Laboratory.

Suspect data should not be included in the EIR nor should they be relied upon in the decision making process.

Correspondence dated August 22, 1989 from ACWD indicates that significant levels of contamination exist at this site. This reflects relevant data and it is appropriate to include it in an EIR and site evaluation.

The condition of the groundwater and the wells is a very serious concern. There is the possibility that contamination may be using the wells as transmission pathways. This could threaten a drinking source for thousands of people.

ACWD and Carter laboratory should be asked for their opinion directly so that there is no misunderstanding of their concerns.

Item 27: Page 18, Recommended Action

- 1 - I support the recommendation because the resultant data would be relevant to a site evaluation. Under regulatory oversight, the transformers should be tested by a qualified inspector (selection to be approved in advance) to determine if there are any PCB contaminated materials and/or oils. Written documentation should be sent directly to this office by the inspector. PG & E files can also be searched for relevant information.

- 2 - Refer to earlier comments. Assertion by Sobek are not adequate documentation.
- 3 - I agree that non-hazardous materials are not a concern. However, the authority to define hazardous materials, including hazardous wastes, does not reside with the property owner, but with the appropriate regulatory agencies.

Item 28: Page 19

- 4 - It is the responsibility of the property owner to submit complete Closure Plans for approval from this office. This applies to ALL sumps and pits that are or were on site. This responsibility is not related to the status of an EIR or development of this site.
- 5 - A complete environmental assessment of the site is required before sufficient information is available to make decisions about the appropriateness of development for the site. Sobek should submit a detailed plan to make this assessment so that it can be reviewed by the appropriate regulatory agencies.
- 6 - All areas of stained concrete and soil need to be properly investigated, tested, and reviewed.
- 7 - The entire site must be included in a detailed environmental assessment. This would include the open land, beneath existing buildings, and parking lots, and groundwater. A good starting place could be a detailed examination of all existing aerial photographs and a review of ALL available records by a qualified consultant. Consultation with any single individual is not adequate.

The existing, serious threat to the drinking water aquifer must not continue to be ignored. The ACWD has requested that the three abandoned wells be properly sealed under and ACWD Well Destruction Permit. This process should be preceded by testing of samples from each of the wells under ACWD and DHS protocols.

I have reached several conclusions based on the materials available in the file, my inspection of the site, and several conversations with Mr. Dale Sobek.

- 1. Mr. Sobek is not a reliable source of information because he makes contradictory statements. He claims to have information in his possession that is relevant to the environmental contamination on site, but does not provide this documentation.
- 2. There is significant contamination on-site and there are indications that the situation is far more serious than has yet been proven. Potentially hazardous raw materials used on-site include lead, barium, cobalt, Freons, MDI, and zinc. The "sunken pit" which was used for the disposal of waste oil must be appropriately characterized. Such pits fall under the Federal Toxics Control Act (TOSCA).
- 3. The situation has been exacerbated by Sobek's refusal to cooperate. The file indicates that a transite pipe transects the southeast area. Other building material used on site commonly contained asbestos. The building plans that Sobek indicates are in his possession, may provide essential information regarding possible Asbestos Containing Materials (ACM).
- 4. The site continues to be used for illegal storage of hazardous wastes. Known and suspected carcinogens were used on-site. These include arsenic, cadmium, chromium, methylene chloride, nickel, and vinyl chloride.

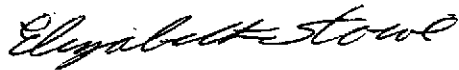
5. Current activities on the site may be contributing to the environmental problems. Maintenance, machine shop, storage, and shipping activities should be investigated.

Before any more development can be seriously considered for this site, the environmental contamination must be accurately characterized and remediated. This is Sobek's responsibility. If Sobek is allowed to continue to ignore the applicable laws and regulations mandating cleanup of environmental contamination, the site may be placed on the Superfund List. This could have serious consequences for Fremont as a whole.

Continued delay only makes more likely that serious consequences could result. The site represents a present danger to the environment and public health. I believe it would be a mistake to wait until someone is injured by an exposure to environmental contamination before action is taken.

I recommend that the City and County work together in an enforcement effort to deal with this site.

Sincerely,



ELIZABETH STOWE
Hazardous Materials
Program Administrator

cc: Gil Jensen
Jill Duerig
Bob Eppstein
Rafat Shahid



City of Fremont
CALIFORNIA

memorandum

September 14, 1989

TO: Elizabeth Stowe, Hazardous Materials Administrator
FROM: Janet Harbin, Assistant Planner
RE: ~~Sobek/6000 S Corporation~~ Administrative Draft EIR (EIR-87-85)
Hazardous Materials Division Comments

In reviewing my files for the 6000 S Corporation EIR, I noticed I have yet to receive comments from your department on the hazardous materials section of the ADEIR. In light of Mr. Sobek's recent "Owner Critique" of the preliminary environmental assessment prepared by ENSCO Environmental Services, Inc. in June, and his assertion that the report and ADEIR are grossly deficient, I would appreciate any comments you might have concerning the EIR document.

I will then forward the comments to the EIR consultant, Wallace Roberts & Todd, and to their subconsultant, ENSCO, for a response. ENSCO has conveyed to me that they will not be responding to Mr. Sobek's critique of the preliminary environmental assessment, but will respond to comments that we may have regarding the document and the ADEIR.

*See response
in Sobek
file*

cc: Paulette Garcia, Deputy City Attorney
Len Banda, Senior Planner



City of Fremont
CALIFORNIA

memorandum

September 5, 1989

PAULETTE GARCIA

6000 STEVENSON BOULEVARD

On August 15, 1989 I received a copy of a letter dated August 14 from Mr. Dale Sobek regarding the report "Owner Critique - EIR Report dated June 1989." Per your request, I reviewed the "Critique" and my comments follow. I have tried to address each specific item in the order that was identified by Sobek. While I referred to the file frequently, this memo is not intended as a detailed review of the complete file.

Item 1: Attachment "A"

I reviewed the entire submittal from Sobek, including all attachments.

Item 2: Introductory Page (Attachment B)

I would like to have a copy of "A recent Preliminary Title Report" from Sobek for the file. My understanding is that Sobek is the majority owner of 6000 S Corporation and is therefore still responsible for the environmental contamination problems on-site.

Item 3: Page 2, Para. 1

From a variety of sources there is extensive, but incomplete, information available regarding this site.

Item 4: Page 2, Para. 3

No comment

Item 5: Page 3, Para. 1

Our files indicate that California Oil Recyclers used a sump within a barrier located near an area identified as the "Off-Load Area." This sump area is a matter of concern because it may be a source of significant contamination.

Item 6: Page 3, Para. 2 (Attachment "C")

Exceltech Incorporated was the precursor company to ENSCO. They have substantial information on file relative to the gas tank closure done for Golden Gate Auto.

Item 7: Page 3, Para. 3 (Attachment "D")

There is NOT sufficient information to characterize the foundry sand as non-hazardous material. The report could not be deemed complete without addressing this serious issue.

Correspondence dated January 8, 1987 to Sobek from American Brass & Iron Foundry states that the sand delivered to the property as landfill is a mixture of foundry molding sands. The sand was used in a molding process and that gray cast iron was poured into the molds. More information is required regarding this process before a determination under Title 22 can be made.

*Foundry
Sands*

The California Administrative Code (CAC) Title 22, Division 4, Section 66740 lists sand from foundry castings as a special waste. Section 66746 (d) states that the generator of a special waste is subject to all the generator requirements of that chapter. A regulated waste requires disposal as a hazardous waste in accordance with applicable regulations.

The sand was chemically analyzed in January 1986. One sample was tested for Total Threshold Limit Concentrations (TTLC) of heavy metals in accordance with CAC, Title 22, Division 4, Section 66699. This same sample was analyzed by the Waste Extraction Test (WET) and the Soluble Threshold Limit Concentrations (STCL) in accordance with CAC, Title 22, Division 4, Section 66693. The sample was not analyzed for iron which may have been added to the mold.

Due to the magnitude of the stockpile on-site, one sample cannot adequately characterize the entire volume of material. Collection and analysis of a single sample neither adequately represents the waste stream, nor can it delist the waste.

To provide suitable data to justify labeling the waste as non-hazardous, under the direct regulatory oversight, one composite sample must be collected and analyzed for every thirty cubic yards of material. Each composite sample must consist of four separate soil samples collected using appropriate sampling protocols. The samples must remain separate until they are combined at a State-Certified Hazardous Waste Testing Laboratory prior to analysis. Each sample required must be collected from four equal sectors and must be collected at variable depths.

Item 8: Page 3, Para. 4 (Attachment E)

- 1 - The letter from the California Department of Health Services (DHS) is public information and is appropriate for review as related to this site. At the August 5, 1989 meeting, Sobek's consultants (at that time) were invited to review the HazMat files and they declined. It is my understanding that the Kivel Stadt Group has terminated their relationship with Sobek.
- 2 - The EPA Test Method 8240 can detect dichlorodifluoromethane (Freon 12) at a detection limit of one part per billion (ppb) in soil. The EPA Test Method 8270 can detect toluene diisocyanate (TDI) in soil. Mr. Kusam Perera, a Quality Assurance Officer with DHS's Toxic Control Division Laboratory confirmed this information during an August 23 telephone conversation.

There may be a typographical error in this section. The compound commonly referred to as MDI is methylene diphenylene diisocyanate. The EPA Test Method 8310, and LC method, can detect MDI. These were not target analyses of the referenced tests.

Item 9: Page 4, Para. 1

Sobek was not specific as to which of the reference chemicals he believes are not carcinogens or suspected carcinogens. I agree with the report that the referenced chemicals are correctly characterized.

DHS and EPA laboratories routinely analyze for polychlorinated biphenyls (PCB) in water. The specific gravity of PCB is greater than water, therefore it has a tendency to migrate vertically through an unsaturated zone (vadose) into the lower, saturated zone. PCB are commonly referred to as "sinkers" in contrast to many volatile solvents which are often called "floaters." Thus, PCB frequently present a very serious threat to groundwater aquifers.

An August 22, 1989 letter from the Alameda County Water District (ACWD) to Sobek stated that significant levels of contamination exist at this site. "A sample taken from an existing on-site 586-foot well contained 10 ppb Aroclor 1254 (a PCB)." This is a very serious matter.

The water Code, Section 13271, specifically required that a person having knowledge of discharge of hazardous substances must immediately report this knowledge to the Regional Water Quality Control Board. Failure to provide the required notice is a misdemeanor and may be punished by a fine or not more than twenty thousand dollars or imprisonment for not more than one year, or both. Sobek appears to be in multiple violations of this section of the Water Code.

Item 10: Page 4, Site Investigation (Attachment "F")

Sobek states that "He has more direct knowledge of the site, its history of uses and construction on this site than any other person." This is a very disturbing admission, since Sobek has consistently refused to take any approved cleanup measures at the site.

The files indicate that Sobek has had at least three soil engineers perform work on this site as documented in one report dated January 12, 1988, revised February 1, 1989. Correspondence to Sobek dated January 12, 1988 also refers to this work as geotechnical in nature. Compaction testing was performed in two of the investigations. These reports do NOT constitute a site characterization investigation.

The Woodward-Clyde Consultants' 1980 report did not evaluate the possible existence of contaminants in the soil. The 1984 GEI report did not evaluate the existence of contaminants in the soil. The compaction testing performed by GEI in 1985 did not evaluate the existence of contaminants in the imported foundry sand. In addition, the density testing performed in October 1986 by Alacon Incorporated did not evaluate the possible existence of contaminants on-site. Since none of these reports are relevant to the hazardous materials evaluation section of the EIR, there appears no reason to include them.

Item 11: Page 5, Para. 2 (Attachment "G")

I have reviewed Attachment "G" and found it very interesting, but it does not support Sobek's claims of no on-site contamination. The Carter Analytical Laboratory analyzed the samples for inorganics only. The report stated that "the operational well sample contains large amounts of oil. We strongly recommend an additional analysis to determine the concentration and type of oil present in the water sample."

This matter is of grave concern because an impartial laboratory indicates the presence of large amounts of oil in the sample collected from the well. The presence of petroleum products in a deep well poses a serious threat to the aquifer which is used as a source of potable water for the community. The well should have been immediately resampled following proper procedures. A documented sample should be tested for total oil and grease. My records indicate that Sobek has not notified the proper authorities regarding this very serious matter.

Item 12: Page 6, Para. 1

A complete closure plan for the aboveground storage tank must be filed with this office prior to its disposal. Since Sobek indicates that he is now willing to comply with the applicable regulations, he should proceed as quickly as possible. The safe, legal disposal of this tank is a serious matter and does not depend on the status of any EIR or site development.

Item 13: Page 6, Para. 2

No comment

Item 14: Page 6, Para. 4 (Attachment "H")

A complete closure plan for ALL sumps and pits on-site must be filed with this office prior to their disposal. Since Sobek indicates that he is now willing to comply with the applicable regulations, he should proceed as quickly as possible. The safe, legal disposal of these sumps (pits) and the hazardous wastes left in them is a serious matter and does not depend on the status of any EIR or site development.

Item 15: Page 6, Last Para. (Attachment "I")

The material in Attachment I is not adequate inventory, nor does it properly characterize the chemicals involved. The manifest information does not include all of the items required by EPA. The Material Safety Data Sheets (MSDS) are lacking pertinent information as to hazards, handling and disposal. They appear to be missing one or more pages. The inventory statements to ROVANCO are not supported with proper documentation.

In order to completely evaluate Attachment I, the additional information is needed. A complete inventory statement including criteria listed on pages 3, 4 and 5 of Fremont's instructions for completing a Hazardous Materials Management Plan (HMMP) of which Sobek has been sent several copies and a complete HMMP. In addition, a Hazardous Waste Inventory Statement must be completed. Copies of all documented and complete hazardous wastes manifests need to be submitted in a format which can be reviewed in detail. Once all the required, accurate information has been received, then a complete evaluation can be done.

Sobek has already been informed that this information should be submitted and he has not done so despite repeated requests.

Item 16: Page 7, Para. 2

I did not understand this reference to imparting "validity to it rather than doubt, misunderstanding mystery to basic facts."

Item 17: Page 7, Para. 3 (Attachment "J")

Sobek's statement is not correct.

I have requested that all hazardous materials, including wastes on-site, be properly identified and reported to this office. This has not been done. Despite several requests, Sobek still does not have a correct, complete HMMP on file in this office.

Item 18: Page 7, Last Para.

Please see earlier comments. Sobek has not properly categorized the hazardous materials that are or were handled on this site.

Item 19: Page 8, Para. 1

There were fibre drums on-site during the last inspection by myself and the Alameda County Environmental Health Department (ACEHD). Sobek should report what happened to them and properly identify what was in them. At the time of the inspection, he indicated that he didn't know what exactly was in them, but he was sure they were not hazardous. This is not adequate documentation.

The cylinders listed should be stored according to the appropriate codes. The tanks that contain hazardous materials should be disposed of correctly and documentation provided to this office and ACHED.

Item 20: Page 8, Para. 2

The context of this statement is not clear. What were in the drums referred to? How were they "cleaned"?

Item 21: Page 8, Para. 3

This information is relevant when considering the site.

Item 22: Page 8, Last Para. carried on to page 9

During the August 9 meeting, Sobek referred to several aboveground storage tanks on-site. The file indicates that two 12,000 gallon storage tanks were used by California Oil Recyclers at building 1a from 1978 to 1981. There is no record of their disposal not even a waste manifest. This is a matter of concern. There has been no testing below and around the tank area to determine what, if any, contamination exist.

The file indicates that there were three large and three small empty tanks on-site. It was reported that these tanks were to be auctioned off in 1988. No other documentation as to the proper disposal of these tanks is in the file. The file does indicate that one of the tanks had not been used, but no testing or accurate documentation supports this assertion. One of the tanks was used to blend polyurethane foam (a regulated material) and its disposal is governed by environmental protection regulations. Four other tanks which were used for fuel storage have been decommissioned (ends cut off) and may have been recycled as scrap metal.

A letter from DHS dated March 16, 1988 indicates that during a site inspection a 10,000 aboveground isocyanate drum vessel was observed.

The assertion that "Any disturbed soil on the site is the result of the construction of The Home Depot Store, which was built in 1986 & 1987" needs substantiation. A driveby of the site in early August 1989 clearly showed large dirt piles near the back access gate that were not there during my inspection a few months earlier. The source and purpose of this recent soil movement is of substantial concern.

Item 23: Page 9, Para. 2

The Earth metrics report does NOT explain the activity mentioned. A clear explanation is essential as part of an adequate site evaluation.

Item 24: Page 10, Para. 1

This photograph portrays historical site information and it is appropriate for inclusion in an EIR and/or site evaluation.

Item 25: Page 10, Para. 4 (Attachment "K")

The items referred to do NOT "verify conformance...to the state rules in effect at this date." Sobek is obligated to clearly prove compliance. Also, refer to my comments in Items 15 and 17.

Item 26: Page 11, Existing Well Supply & Analysis: (Attachment "L")

I agree that the integrity of the referenced sample is suspect. Under regulatory oversight, new samples should be properly drawn according to approved protocols and tested by a State Certified Laboratory.

Suspect data should not be included in the EIR nor should they be relied upon in the decision making process.

Correspondence dated August 22, 1989 from ACWD indicates that significant levels of contamination exist at this site. This reflects relevant data and it is appropriate to include it in an EIR and site evaluation.

The condition of the groundwater and the wells is a very serious concern. There is the possibility that contamination may be using the wells as transmission pathways. This could threaten a drinking source for thousands of people.

ACWD and Carter laboratory should be asked for their opinion directly so that there is no misunderstanding of their concerns.

Item 27: Page 18, Recommended Action

- 1 - I support the recommendation because the resultant data would be relevant to a site evaluation. Under regulatory oversight, the transformers should be tested by a qualified inspector (selection to be approved in advance) to determine if there are any PCB contaminated materials and/or oils. Written documentation should be sent directly to this office by the inspector. PG & E files can also be searched for relevant information.

- 2 - Refer to earlier comments. Assertion by Sobek are not adequate documentation.
- 3 - I agree that non-hazardous materials are not a concern. However, the authority to define hazardous materials, including hazardous wastes, does not reside with the property owner, but with the appropriate regulatory agencies.

Item 28: Page 19

- 4 - It is the responsibility of the property owner to submit complete Closure Plans for approval from this office. This applies to ALL sumps and pits that are or were on site. This responsibility is not related to the status of an EIR or development of this site.
- 5 - A complete environmental assessment of the site is required before sufficient information is available to make decisions about the appropriateness of development for the site. Sobek should submit a detailed plan to make this assessment so that it can be reviewed by the appropriate regulatory agencies.
- 6 - All areas of stained concrete and soil need to be properly investigated, tested, and reviewed.
- 7 - The entire site must be included in a detailed environmental assessment. This would include the open land, beneath existing buildings, and parking lots, and groundwater. A good starting place could be a detailed examination of all existing aerial photographs and a review of ALL available records by a qualified consultant. Consultation with any single individual is not adequate.

The existing, serious threat to the drinking water aquifer must not continue to be ignored. The ACWD has requested that the three abandoned wells be properly sealed under and ACWD Well Destruction Permit. This process should be preceded by testing of samples from each of the wells under ACWD and DHS protocols.

I have reached several conclusions based on the materials available in the file, my inspection of the site, and several conversations with Mr. Dale Sobek.

1. Mr. Sobek is not a reliable source of information because he makes contradictory statements. He claims to have information in his possession that is relevant to the environmental contamination on site, but does not provide this documentation.
2. There is significant contamination on-site and there are indications that the situation is far more serious than has yet been proven. Potentially hazardous raw materials used on-site include lead, barium, cobalt, Freons, MDI, and zinc. The "sunken pit" which was used for the disposal of waste oil must be appropriately characterized. Such pits fall under the Federal Toxics Control Act (TOSCA).
3. The situation has been exacerbated by Sobek's refusal to cooperate. The file indicates that a transite pipe transects the southeast area. Other building material used on site commonly contained asbestos. The building plans that Sobek indicates are in his possession, may provide essential information regarding possible Asbestos Containing Materials (ACM).
4. The site continues to be used for illegal storage of hazardous wastes. Known and suspected carcinogens were used on-site. These include arsenic, cadmium, chromium, methylene chloride, nickel, and vinyl chloride.

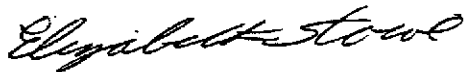
5. Current activities on the site may be contributing to the environmental problems. Maintenance, machine shop, storage, and shipping activities should be investigated.

Before any more development can be seriously considered for this site, the environmental contamination must be accurately characterized and remediated. This is Sobek's responsibility. If Sobek is allowed to continue to ignore the applicable laws and regulations mandating cleanup of environmental contamination, the site may be placed on the Superfund List. This could have serious consequences for Fremont as a whole.

Continued delay only makes more likely that serious consequences could result. The site represents a present danger to the environment and public health. I believe it would be a mistake to wait until someone is injured by an exposure to environmental contamination before action is taken.

I recommend that the City and County work together in an enforcement effort to deal with this site.

Sincerely,



ELIZABETH STOWE
Hazardous Materials
Program Administrator

cc: Gil Jensen
Jill Duerig
Bob Eppstein
Rafat Shahid



P.O. BOX 5110 • 43885 SOUTH GRIMMER BOULEVARD, FREMONT, CALIFORNIA 94537
PHONE (415) 659-1970 FAX (415) 770-1793

DIRECTORS

CARL H. STRANDBERG
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RUTH R. EVANS
District Secretary

August 22, 1989

Dale W. Sobek, Principal
6000 S Corporation
6000 Stevenson Boulevard
Fremont, CA 94538

NEED FOR ADDITIONAL INVESTIGATION AND REMEDIATION RELATED TO HAZARDOUS MATERIALS CONTAMINATION AT 6000 S CORPORATION

Alameda County Water District (ACWD) thanks you for submitting the Preliminary Environmental Assessment of the 6000 S facility at 6000 Stevenson Boulevard, Fremont. Since groundwater is utilized for a major portion of ACWD's drinking water supply, the District has taken an aggressive role in managing and protecting its groundwater basin. As part of this program, ACWD cooperates with the California Regional Water Quality Control Board-San Francisco Bay Region (RWQCB) by providing input on investigation and remediation at toxic spill sites.

Ensco's June 6, 1989 report indicates the presence of soil contamination up to 7,900 ppm total petroleum hydrocarbons as diesel (TPH-d) at an 11-foot depth. Water level in the same boring was identified at a 14-foot depth. Other contaminants identified in on-site soils include: 1,1,1-trichloroethane, methylene chloride, 1,1-dichloroethane and total oil and grease. A sample taken from an existing on-site 586-foot well contained 19 ppb Aroclor 1254 (a PCB), 5,800,000 ppb total oil and grease and 330,000 ppb TPH-d. Potential contamination in the three existing deep wells is an ongoing concern of ACWD (ref. February 9, 1989 letter, enclosed). Additional investigation and remediation are indicated for this documented contamination.

Generally, the investigations required by RWQCB for any release include five basic steps:

1. Determine the extent and magnitude of soil contamination.
2. Determine the horizontal and vertical extent of groundwater contamination.
3. Interpret hydrogeologic data.
4. Assess potential short- and long-term impacts of the contamination on the

6000 S Corporation
Page Two
August 22, 1989

beneficial uses of ground and surface water in the area.

5. Evaluate and implement a remediation plan.

Recommendations:

Identify and abate any ongoing release. Purge and destroy the three abandoned on-site wells. Initiate a soil and groundwater investigation and cleanup consistent with the five points outlined above.

Please continue to send copies of all reports and correspondence to RWQCB (as the enforcing agency), DHS and the City of Fremont. If you have any questions or would like to schedule a meeting to discuss this case, please do not hesitate to call. Thank you.



G. F. DUERIG
Groundwater Resources Supervisor

JD:bb

Enclosure

cc/enc: Susan Solarz, DHS
Lester Feldman, RWQCB
✓ Rafat Shahid, ACDEH
Elizabeth Stowe, Fremont
Paulette Garcia, Fremont
Len Banda, Fremont
Anna Marie Dietzgen, WRT

ALAMEDA COUNTY WATER DISTRICT

STORS

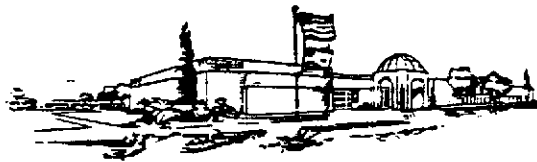
JORGHI, JR.
resident

D. BRUMBAUGH

H. G. DAMAS, JR.

ARK W. REDEKER

H. STRANDBERG



P.O. BOX 5110
43885 SOUTH GRIMMER BOULEVARD
FREMONT, CALIFORNIA 94537
PHONE (415) 659-1970

OFFICERS

JAMES D. BEARD
General Manager

ANDREW J. GERAGHTY
Auditor

RUTH R. EVANS
District Secretary

April 26, 1988

City of Fremont
39700 Civic Center Dr.
Fremont, CA 94538

Attention: Leonard Banda

WELLS LOCATED WITHIN - EIR 87-50

The District finds from review of the tentative map or building permit application for this development that the following wells, as delineated upon the attached sketch, are included within the boundaries of the development.

Well No. 5S/1W-08A01, Well No. 5S/1W-08A03, Well No. 5S/1W-08A04

In order to protect the underground water basin, which constitutes the major source of water supply for this area, these wells must be sealed in compliance with the respective City of Fremont Ordinance No. 950, as amended, City of Newark Ordinance No. 136, or City of Union City Ordinance No. 109-73. Per the above ordinance, a permit is required for the sealing of each well. Application for a permit may be obtained from the Alameda County Water District, Engineering Department, at 43885 South Grimmer Boulevard, Fremont. Before a permit is issued, the applicant shall deposit with the District, cash or a certified or cashier's check in a sufficient sum to cover the fee for issuance of the permit and charges for field investigation and inspection.

As a further condition, the District reserves the right to refuse water service within this development until such time as the well or wells are sealed in accordance with the aforementioned specifications.

Compliance with the well destruction requirements does not imply a commitment of water service to this development by Alameda County Water District. Any questions regarding water service should be directed to the Development Division of the District's Engineering Department.

Thank you for your cooperation in this matter.

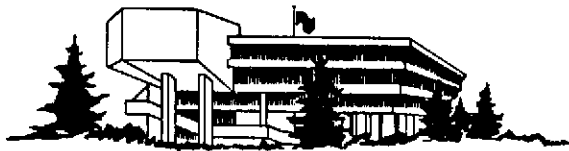
JIM INGLE
Well Ordinance Technician

JI:ls

Attachment

cc: Dale K. Sobek
City of Fremont Fire Department

ACWD #58 (10/82)



City of Fremont

Public Works Department
Hazardous Materials Division
39572 Stevenson Place, Suite 125
Fremont, California 94539 - 3075
April 17, 1989

(415) 791 - 4279

Mr. Dale Sobek
6000 S Corporation
6000 Stevenson Boulevard
Fremont, CA 94538

Dear Mr. Sobek:

I am writing in response to your letter of April 10, 1989. You indicated that my letter of April 3, 1989 was originally misdirected and not received by you until April 10. I am sorry if this has caused you any problems. In light of this delay, I am extending the date for you to file a Hazardous Materials Management Plan (HMMP) to thirty days from the date of this letter.

As requested, I am enclosing a copy of the City of Fremont's Hazardous Materials Storage Ordinance (HMSO) and an application packet for an HMMP.

I appreciate your enclosure of the January 1988 report on "Site Contaminant Characterization History at the Fremont, California Site of 6000 S Corporation." This report does not address the concerns expressed in my earlier letter.

Hazardous Materials, including hazardous wastes, must be stored and disposed of in accordance with all applicable laws and regulations. As indicated in my letter, this is a very serious matter. It directly impacts the safety of the public, community, and environment. Non-compliance with these regulations is not excused by future site plans, regardless of the status of an EIR, request for a zoning change, and/or request for a use permit. The source of the original complaint about the illegal storage of hazardous wastes is not relevant to the need to bring the site into compliance now. I look forward to the receipt of your response to the concerns in my letter of April 3.

Sincerely,

ELIZABETH STOWE
Program Administrator
Hazardous Materials

cc: ~~Rafael Shahid~~, Alameda County Health Department
Gil Jensen, Senior Deputy District Attorney
Paulette Garcia, Deputy City Attorney
Karen Toph, State Department of Health Services TSCD
Scott Seery, Alameda County Health Department
Roger Anderman, Assistant City Manager
Bob Eppstein, Chief Building Official
Herbert Schott, Union Sanitary District



ALAMEDA COUNTY WATER DISTRICT

DIRECTORS

CARL H. STRANDBERG
President
FRANK BORGHIL JR
HARRY D. BRUMBAUGH
JOSEPH G. DAMAS, JR
CLARK W. REDEKER



P.O. BOX 7110
4000 SOUTH KINAMER BOULEVARD
FREMONT, CALIFORNIA 94537
PHONE (415) 650-0970

OFFICERS

JAMES D. BEARD
General Manager
ANDREW J. GERAGHTY
Auditor
RUTH R. EVANS
District Secretary

February 9, 1989

Len Banda, Associate Planner
City of Fremont
City Government Building
39700 Civic Center Drive
Fremont, CA 94537

REQUEST FOR CHANGES IN WORK PLAN SUBMITTAL FOR 6000S FACILITY, 6000 STEVENSON BOULEVARD, FREMONT

On February 3, 1989, Alameda County Water District (ACWD) received copies of two (2) proposals, an addendum to these proposals and a well permit application for the 6000S facility located at 6000 Stevenson Boulevard, Fremont. ACWD would like to request that you have LandUse include testing for metals (especially arsenic, cadmium, chromium, lead and nickel) in the proposal. ACWD remains concerned about the three existing on-site wells. Since all three have been out of service for more than a year, they are considered abandoned and according to City of Fremont Ordinance 950, as amended, should be properly sealed under an ACWD well destruction permit. This process should be preceded by the acquisition and testing of groundwater samples from each well. The issue of the existing wells should be addressed before any additional well permits are issued for the site.

Thank you for your consideration of this matter. If you have any questions or would like to schedule a meeting to discuss the site, please do not hesitate to contact me.

A handwritten signature in dark ink, appearing to read 'G. F. Duerig', is written over the typed name and title.

G. F. DUERIG
Groundwater Resources Supervisor

JD:bb

cc: Stephen Noack, LandUse
Jerry Haag, WRT
Dale Sobek, 6000S
Ken Slamon, Fremont
Don Dalke, RWQCB
Susan Solarz, DHS

April 10, 1989

Mr. Tom Peacock
Alameda County Health Department
80 Swan Way, Room 200
Oakland, CA 94621

4/12/89
ALAMEDA COUNTY
DEPT. OF ENVIRONMENTAL
HAZARDOUS WASTE

Dear Mr. Peacock:

A client 6000 S Corporation was forced to evict for non-payment of rent since October 1988 reported this unfounded hazardous waste claim.

Enclosed is a copy of Earth Metrics Inc. "Site Contamination Survey of 6000 Stevenson Blvd." completed January 1988.

On January 26, 1988, this report was reviewed in detail in order to obtain a use permit for a potential lessee, Farwest Investment Group.

At that time, the drum material was discussed, material data safety sheets were provided for the known polyol components. All of these drums were to be removed upon receipt of a use permit, which was subsequently denied by the Fremont City Council.

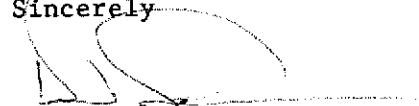
An Environmental Impact Report, which is now in process, was the continuing process to rezone this property to acceptable use. The storage tank and drums have been stored since January 1988 pending completion of the E.I.R. and rezoning. At that time, all materials will be disposed of in accordance with laws in effect at that time.

It seems to me the city and community would best benefit by supporting a large taxpayer and contributor to improving the community, as I am, rather than threaten jail, lawsuits and constantly erect barriers to prevent expeditious flow of these very expensive city-imposed processes.

A drug selling, bankrupt corporation has more influence and impact on society than a struggling contributor to society. This I do not comprehend.

I welcome any questions from any recipient of the enclosed report.

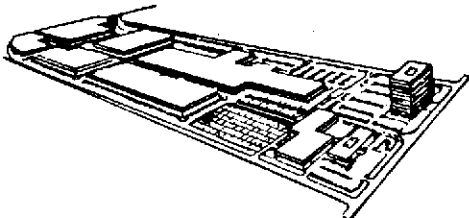
Sincerely



Dale W. Sobek
President

DWS:g

Encl. (1) Site Contaminant Characterization History



6000 S CORPORATION

6000 STEVENSON BOULEVARD

FREMONT, CALIFORNIA 94538

(415) 657-7633



earth metrics incorporated

April 20, 1988

Mr. Dale Sobek
6000 S Corporation
6000 Stevenson Boulevard
Fremont, CA 94538

Subject: 6000 Stevenson Boulevard (Earth Metrics file reference 7126.W3)

Dear Mr. Sobek:

This letter is to inform you again that all promised test results were hand delivered to Mr. Dominick DiRienzo, as directed by you, on April 5, 1988. I personally discussed test results with Mr. DiRienzo on the same day by telephone, as you directed. In summary:

1. We encountered total oil and grease above State action level in one soil sample collected in the vicinity of the former California Oil Recyclers.
2. PCBs were not detected in the soil.
3. Air samples from the empty fuel storage tanks stored on site do not contain any organic vapors. I reminded Mr. DiRienzo that the tanks must have a certificate of triple rinsing before being shipped off site; otherwise, they must be shipped as hazardous waste. He concurred.

No further action has been taken pursuant to your stop work order dated April 15, 1988. The next logical step ordinarily would be to prepare a Draft Work Plan for contaminant characterization and potential remediation, for review by the Fremont Bureau of Fire Prevention and Hazardous Materials.

Please reconsider your order so that we can complete any remaining work to your satisfaction or formulate a plan to terminate this consulting engagement in a manner which is mutually agreeable to all concerned.

Sincerely,

Marc Papineau
Department Manager

MP/hhs
Attachments

NEW MAILING ADDRESS:

Dale Sobek
~~Sobek~~ 6000 S Corp
42080 Osgood Rd
Fremont 94539

New attorney:

Larry E. Luloff
Morton, Luloff, & Allen
1 Kaiser Plaza, Ste. 750
Ordway Building
Oakland, CA 94612

444-5521

Sobek's new attorney:

Larry E. Luloff
Morton, Luloff + Allen
1 Kaiser Plaza, Ste. 750
Ordway Building
Oakland 94612

Bechtel

50 Beale Street P.O. Box 193965
San Francisco, CA 94119-3965
(415) 768-2015
Fax: (415) 768-7299

James E. F. Davidson
Bechtel Environmental, Inc.

