

ALAMEDA COUNTY, DEPARTMENT OF ENVIRONMENTAL HEALTH

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

Hazardous Materials Division Inspection Form

Site ID# 5901 Site Name Rob Robles - Developer Today's Date 1/27/92  
 Site Address 23836 Saklan - N/S parcels EPA ID# \_\_\_\_\_  
 City Hayward Zip 94545 Phone \_\_\_\_\_

MAX Amt. Stored > 500lbs/55g/200cf? Y N  
 Hazardous Waste generated per month? \_\_\_\_\_

Inspection Categories:

- I. Haz. Mat/Waste GENERATOR/TRANSPORTER
  - II. Business Plans, Acute Hazardous Materials
  - III. Underground Tanks
- Page 2  
Soil Remediation Project

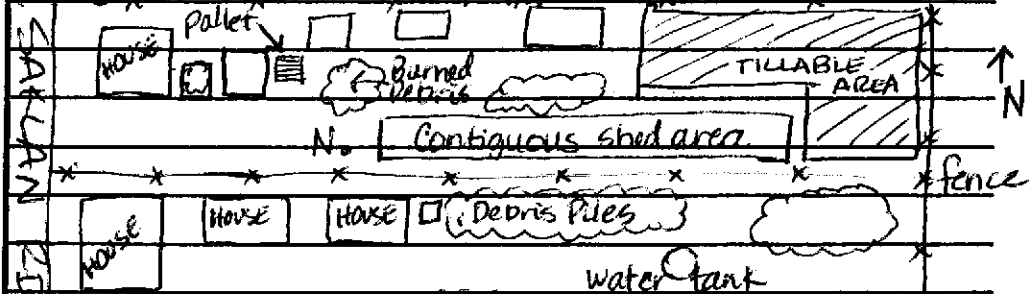
The marked items represent violations of the Calif. Administration Code (CAC) or the Health & Safety Code (HS&C)

LA GENERATOR (Title 22)

1. Waste ID	* 66471
2. EPA ID	66472
3. > 90 days	66508
4. Label dates	66508
5. Biennial	66493
6. Records	66492
7. Correct	66484
8. Copy sent	66492
9. Exception	66484
10. Copies Rec'd	66492
11. Treatment	66371
12. On-site Disp. (H.S.&C.)	26189.5
13. Ex Haz. Waste	66570
14. Communications	67121
15. Aisle Space	67124
16. Local Authority	67126
17. Maintenance	67120
18. Training	67105
19. Prepared	67140
20. Name List	67141
21. Copies	67141
22. Emg. Coord. Trng.	67144
23. Condition	67241
24. Compatibility	67242
25. Maintenance	67243
26. Inspection	67244
27. Buffer Zone	67246
28. Tank Inspection	67259
29. Containment	67245
30. Safe Storage	67261
31. Freeboard	67257

Comments:

(cont'd) Haz. Wastes observed, North parcel:  
 ① Spilled oil, various spots, 1' along shed area. Many auto parts + a few old cars. ~ 50 waste oil in rear shed  
 ② Spent batteries on pallet outside, others in shed area. ③ Containers of paint in + near sheds.  
 ④ Piles of trash may cover hazardous wastes  
 ⑤ a few nearly empty pesticide cntnrs are on site



23836 Saklan Rd. S.

□ = structure □ pallet ⊕ = debris \* \* = fence.

I.B TRANSPORTER (Title 22)

32. Applic./Insurance	66428
33. Comp. Cert./CHP Insp.	66448
34. Containers	66465
35. Vehicles	66465
36. EPA ID #s	66531
37. Correct	66541
38. HW Delivery	66543
39. Records	66544
40. Name/ Covers	66545
41. Recyclables	66800

Other problem areas: In order for the tilling & blending to be an effective remediation method, it must be done through out the two parcels. Now, there is very little accessible area. If Mr. Robles wants to till & blend in small parcels, his reporting + sampling procedures will have to be altered!

Rev 6/88

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

Inspector: \_\_\_\_\_  
 Signature: Pamela J Swans

white -env.health  
 yellow -facility  
 pink -files

ALAMEDA COUNTY, DEPARTMENT OF ENVIRONMENTAL HEALTH

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

Hazardous Materials Division Inspection Form

Site ID# 5901 Site Name Robb Robles - Developer Today's Date 1/27/92  
 Site Address 23836 Saklan Av - N+S parcel EPA ID# \_\_\_\_\_  
 City Fremont Zip 94545 Phone \_\_\_\_\_

MAX Amt. Stored > 500lbs/55g/200cf? Y N  
 Hazardous Waste generated per month? \_\_\_\_\_

Inspection Categories:

- I. Haz. Mat/Waste GENERATOR/TRANSPORTER Page 1
- II. Business Plans, Acute Hazardous Materials
- III. Underground Tanks Soil Remediation, Site Visit

The marked items represent violations of the Calif. Administration Code (CAC) or the Health & Safety Code (HS&C)

I.A GENERATOR (Title 22)

	1. Waste ID	* 66471	
	2. EPA ID	66472	
	3. > 90 days	66508	
	4. Label dates	66508	
	5. Biennial	66493	
Manifest	6. Records	66492	
	7. Correct	66484	
	8. Copy sent	66492	
	9. Exception	66484	
	10. Copies Rec'd	66492	
Misc.	11. Treatment	66371	
	12. On-site Disp. (H.S.&C.)	26189.5	
	13. Ex Haz. Waste	66570	
Prevention	14. Communications	67121	
	15. Aisle Space	67124	
	16. Local Authority	67126	
	17. Maintenance	67120	
	18. Training	67105	
Confin. gency	19. Prepared	67140	
	20. Name List	67141	
	21. Copies	67141	
	22. Emg. Coord. Trng.	67144	
Containers, Tanks	23. Condition	67241	
	24. Compatibility	67242	
	25. Maintenance	67243	
	26. Inspection	67244	
	27. Buffer Zone	67246	
	28. Tank inspection	67259	
	29. Containment	67245	
	30. Safe Storage	67251	
		31. Freeboard	67257

Comments:

Today Ravi Arulanantham<sup>td</sup> visited this site, which is being developed as a residential area, to observe conditions & witness soil conditioning.

The consultant, Resna, is breaking up the soil for the purpose of blending it in order to bring the overall soil concentration of DDT down ~~down~~ to or below acceptable levels. A special tractor mounted tiller is being used that reaches to depths of 18-24 inches & breaks up soil to a uniform texture. The soil can then be blended!

Problems observed: The owner has not cleared the site of obstacles. The north parcel, where a single residential bldg + several out buildings exist, is only accessible to the tiller at the rear 3rd of the parcel. A house & its attendant structures sits on the front third, and the middle third is strewn with wrecked cars, sheds, concrete, + trash. There are many hazardous wastes on the property, including the following: (cont'd on page 2)

I.B TRANSPORTER (Title 22)

	32. Applic./Insurance	66428
	33. Comp. Cert./CHP insp.	66448
	34. Containers	66465
Manifest	35. Vehicles	66465
	36. EPA ID #s	66531
	37. Correct	66541
	38. HW Delivery	66543
	39. Records	66544
Cont'rs	40. Name/ Covers	66545
	41. Recyclables	66800

Rev 6/88

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

Inspector: \_\_\_\_\_  
 Signature: Amela J Evans

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



R02795

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

December 18, 1991

F. Rob Robles  
175 Bernal Rd. Suite 230  
San Jose CA 95119

RE: Remediation and Confirmatory Sampling Work Plan for  
23836 Saklan Avenue, Hayward 94545

Dear Mr. Robles:

I have received Resna's Work Plan for soil remediation at Saklan Av. with Dr. Ravi Arulanantham of this office. The consultant's proposal to till and blend contaminated surface soils with cleaner subsurface soils is acceptable to this office provided that final soil concentrations are found through sampling and analysis to be below levels of public health concern.

Dr. Arulanantham and I have identified the following concerns and issues regarding the Plan and have discussed them with Madhulla Logan of Resna:

1. Resna must submit a revised confirmatory sampling plan showing the number and planned location of samples. As Dr. Arulanantham discussed with Ms. Logan, all soil samples will be discrete or a multiplying factor will be used for composited samples.
2. Typographical errors were noted in the calculations presented in the Final Report (November 1991). Corrected equations must be submitted to this office.
3. Please notify this office when soil remediation and testing is imminent so that either Dr. Arulanantham or I can be present.

You may call me with any questions at (510)271-4320.

Sincerely,

Pamela J. Evans  
Hazardous Materials Specialist

c: Ravi Arulanantham, ACHCSA  
Madhulla Logan, Resna  
Hugh Murphy, City of Hayward

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)

October 29, 1991

John Barbour  
Hayward Community Partners  
1001 Parma Way  
Los Altos CA 94024

RE: Draft Final Report for 23836 Saklan Av., Hayward

Dear Mr. Barbour:

At the request of Ms. Mahdulla Logan of Resna, I am summarizing in writing the remaining questions and concerns of this office regarding the risk assessment data submitted for your site. Ms. Logan stated that she would review and address these issues:

1. The Final Report dated October 22, 1991 describes an increased health risk for DDT residues as greater than 1 in 1 million. There are also other organochlorine pesticide residues found at the site for which individual risks have been calculated at less than 1:million, but which add to the cumulative risk. Nevertheless, Resna recommends no remediation be done at the site.

It is the policy of California Environmental Protection Agency, this office, and the City of Hayward that increased human health risks exceeding 1:million be mitigated. Therefore, we require that a remediation work plan to be submitted for the site.

2. The Report references the EPA Superfund Public Health Evaluation Manual, EPA/540/1-86/060, October; 1986. Health Risk Assessments must be prepared in accordance with EPA Risk Assessment Guidance for Superfund, Human Health Evaluation Manual, Part A; July, 1989.

3. Exposure must be calculated for children as well as for adults.

4. The Risk Assessment must not incorporate mitigation factors in calculating exposures. The figure of 809.3 square meters used in calculating inhalation exposure is derived using a mitigation factor described in the original Risk Assessment. The appropriate figure to be used in this calculation is 8093 square meters.

5. Use only Upper Confidence Level figures (95%) to calculate chemical concentrations for the Chronic Daily Intake,

*11-4-91  
Mahdulla  
Logan*

*all 3 notes  
She says  
they used it  
as 8093, but  
the 809.3 was  
a typo*

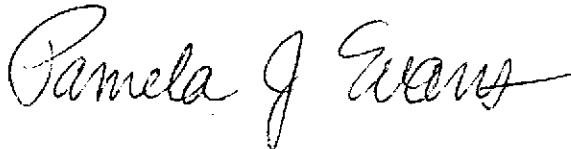
*Typo  
89=86*

John Barbour  
Venture Properties  
October 29, 1991  
Page 2 of 2

calculations. This office does not permit the use of chemical half life calculations in determining pesticide exposure risk. Use the attached formulas in calculating chronic daily intake. The attached sheets also contains standard default parameters to be used in calculating chronic daily intake.

You may call me with any questions or concerns at (510)271-4320.

Sincerely,

A handwritten signature in cursive script that reads "Pamela J. Evans". The signature is written in dark ink and is positioned to the left of the typed name.

Pamela J. Evans  
Hazardous Materials Specialist

Enclosures

c: Ravi Arulanantham, ACHCSA  
Mahdulla Logan, Resna  
Nalini Frush, Resna  
Hugh Murphy, City of Hayward

ALAMEDA COUNTY  
**HEALTH CARE SERVICES**

AGENCY

DAVID J. KEARS, Agency Director



RECEIVED BY  
HAZARDOUS MATERIALS OFFICE

NOV 01 1991

October 29, 1991

John Barbour  
Hayward Community Partners  
1001 Parma Way  
Los Altos CA 94024

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

RE: Draft Final Report for 23836 Saklan Av., Hayward

Dear Mr. Barbour:

At the request of Ms. Mahdulla Logan of Resna, I am summarizing in writing the remaining questions and concerns of this office regarding the risk assessment data submitted for your site. Ms. Logan stated that she would review and address these issues:

1. The Final Report dated October 22, 1991 describes an increased health risk for DDT residues as greater than 1 in 1 million. There are also other organochlorine pesticide residues found at the site for which individual risks have been calculated at less than 1:million, but which add to the cumulative risk. Nevertheless, Resna recommends no remediation be done at the site.

It is the policy of California Environmental Protection Agency, this office, and the City of Hayward that increased human health risks exceeding 1:million be mitigated. Therefore, we require that a remediation work plan to be submitted for the site.

2. The Report references the **EPA Superfund Public Health Evaluation Manual**, EPA/540/1-86/060, October; 1989. Health Risk Assessments must be prepared in accordance with **EPA Risk Assessment Guidance for Superfund, Human Health Evaluation Manual, Part A**; July, 1989.

3. Exposure must be calculated for children as well as for adults.

4. The Risk Assessment must not incorporate mitigation factors in calculating exposures. The figure of 809.3 square meters used in calculating inhalation exposure is derived using a mitigation factor described in the original Risk Assessment. The appropriate figure to be used in this calculation is 8093 square meters.

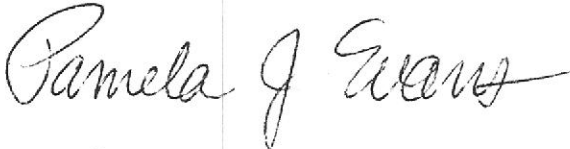
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John Barbour  
Venture Properties  
October 29, 1991  
Page 2 of 2

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Sincerely,

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Pamela J. Evans  
Hazardous Materials Specialist

Enclosures

c: Ravi Arulanantham, ACHCSA  
Mahdulla Logan, Resna  
Nalini Frush, Resna  
Hugh Murphy, City of Hayward

## Dermal Contact with Chemicals in Soil

$$\text{Absorbed Dose (mg/kg-day)} = \frac{\text{CS} \times \text{CF} \times \text{SA} \times \text{AF} \times \text{ABS} \times \text{EF} \times \text{ED}}{\text{BW} \times \text{AT}}$$

*Where:*

- CS** = Chemical Concentration in Soil (mg/kg)
- CF** = Conversion Factor ( $10^{-6}$  kg/mg)
- SA** = Skin Surface Area Available for Contact ( $\text{cm}^2/\text{event}$ )
- AF** = Soil-to-Skin Adherence Factor ( $\text{mg}/\text{cm}^2$ )
- ABS** = Absorption Factor (unitless)
- EF** = Exposure Frequency (events/year)
- ED** = Exposure Duration (years)
- BW** = Body Weight (kg)
- AT** = Averaging Time (period over which exposure is averaged—days)

### Variable Values:

**CS:** Site-specific measured values

**CF:**  $10^{-6}$  kg/mg

**SA:**

#### 50th Percentile Total Body Surface Area ( $\text{m}^2$ ) (EPA 1989d, 1985a)

Age (years)	Male	Female
3 < 6	0.728	0.711
6 < 9	0.931	0.919
9 < 12	1.16	1.16
12 < 15	1.49	1.48
15 < 18	1.75	1.60
Adult	1.94	1.69

#### 50th Percentile Total Body Surface Area ( $\text{m}^2$ ) (EPA 1989d, 1985a)

Age (years)	Arms	Hands	Legs
3 < 6	0.096	0.040	0.18
6 < 7	0.11	0.041	0.24
9 < 10	0.13	0.057	0.31
Adult	0.23	0.082	0.55

-5-

These standards are for review and comment only.



## Dermal Contact with Chemicals in Soil

**AF:** 1.45 mg/cm<sup>2</sup>--commercial potting soil (for hands; EPA 1989d, EPA 1988b)

2.77 mg/cm<sup>2</sup>--kaolin clay (for hands; EPA 1989d, EPA 1988b)

**ABS:** Chemical-specific value (this value accounts for desorption of chemical from the soil matrix and absorption of chemical across the skin)

**EF:** Pathway-specific value (should consider local weather conditions [e.g., number of rain, snow and frost-free days] and age of potentially exposed population)

**ED:** 70 years (lifetime; by convention)  
30 years (national upper-bound time (90th percentile) at one residence; EPA 1989d)  
Nine years (national median time (50th percentile) at one residence; EPA 1989d)

**BW:** 70 kg (standard adult); EPA 1989d  
Age-specific values (EPA 1985a, 1989d)

**AT:** Pathway-specific period of exposure for noncarcinogenic effects (i.e., ED × 365 days/year), and 70-year lifetime for carcinogenic effects (i.e., 70 years × 365 days/year)

## Ingestion of Chemicals in Soil

$$\text{Intake (mg/kg-day)} = \frac{\text{CS} \times \text{IR} \times \text{CF} \times \text{FI} \times \text{EF} \times \text{ED}}{\text{BW} \times \text{AT}}$$

### Where:

- CS** = Chemical Concentration in Soil (mg/kg)
- IR** = Ingestion Rate (mg soil/day)
- CF** = Conversion Factor ( $10^{-6}$  kg/mg)
- FI** = Fraction Ingested from Contaminated Source (unitless)
- EF** = Exposure Frequency (days/years)
- ED** = Exposure Duration (years)
- BW** = Body Weight (kg)
- AT** = Averaging Time (period over which exposure is averaged--days)

### Variable Values:

**CS:** Site-specific measured value

**IR:** 200 mg/day (children 1 through 6 years old; EPA 1989g)  
100 mg/day (age groups greater than 6 years old; EPA 1989g)

NOTE: IR values are default values and could change based on site-specific or other information. Research is currently ongoing to better define ingestion rates. IR values do not apply to individuals with abnormally high soil ingestion rates (i.e., pica).

**CF:**  $10^{-6}$  kg/mg

**FI:** Pathway-specific values (should consider contaminant location and population activity patterns)

**EF:** 365 days/year

**ED:** 70 years (lifetime; by convention)  
30 years (national upper-bound time (90th percentile) at one residence; EPA 1989d)  
Nine years (national median time (50th percentile) at one residence; EPA 1989d)

**BW:** 70 kg (standard adult; EPA 1989d)  
16 kg (children 1 through 6 years old, 50th percentile; EPA 1985a)

**AT:** Pathway-specific period of exposure for noncarcinogenic effects (i.e.,  $\text{ED} \times 365$  days/year), and 70-year lifetime for carcinogenic effects (i.e., 70 years  $\times$  365 days/year)

-7-

These standards are for review and comment only.

## Inhalation of Airborne Chemicals

$$\text{Intake (mg/kg-day)} = \frac{\text{CA} \times \text{IR} \times \text{ET} \times \text{EF} \times \text{ED}}{\text{BW} \times \text{AT}}$$

### Where:

- CA = Contaminant Concentration in Air (mg/m<sup>3</sup>)
- IR = Inhalation Rate (m<sup>3</sup>/hour)
- ET = Exposure Time (hours/day)
- EF = Exposure Frequency (days/year)
- ED = Exposure Duration (years)
- BW = Body Weight (kg)
- AT = Averaging Time (period over which exposure is averaged—days)

### Variable Values:

- CA: Site-specific measured or modeled value
- IR: 30 m<sup>3</sup>/day (adult, suggested upper bound value; EPA 1989d)  
20 m<sup>3</sup>/day (adult, average; EPA 1989d)  
Hourly rates (EPA 1989d)  
Age-specific values (EPA 1985a)  
Age-, sex-, and activity-based values (EPA 1985a)  
0.6 m<sup>3</sup>/yr—showing (all age groups; EPA 1989d)
- ET: Pathway-specific values (dependent on duration of exposure-related activities)  
12 minutes—showing (90th percentile; EPA 1989d)  
7 minutes—showing (50th percentile; EPA 1989d)
- EF: Pathway-specific value (dependent on frequency of showering or other exposure-related activities)
- ED: 70 years (lifetime; by convention)  
30 years (national upper-bound time (90th percentile) at one residence; EPA 1989d)  
Nine years (national median time (50th percentile) at one residence; EPA 1989d)
- BW: 70 kg (standard adult; EPA 1989d)  
Age-specific values (EPA 1985a, 1989d)
- AT: Pathway-specific period of exposure for noncarcinogenic effects (i.e., ED × 365 days/year), and 70-year lifetime for carcinogenic effects (i.e., 70 years × 265 days/year)

41674 Christy Street  
Fremont, CA 94538  
Phone: (510) 659-0404  
Fax: (510) 651-4677

October 18, 1991

Alameda County Health Agency  
Division of Hazardous Materials  
80 Swan Way, Room 200  
Oakland, California 94621

Attention: Ms. Pamela J. Evans  
Hazardous Materials Specialist

Subject: Draft Final Report  
Saklan Road Property, Hayward, California  
Exceltech Project No. 3-50058-51

Dear Ms. Evans:

Enclosed is a revision of the Draft Final Report that was originally submitted the first week in September. The revisions are a result of the meeting with you and Ravi Arulanantham on September 30. This enclosure does not include all the appendices that were submitted with the original draft. If you wish additional copies of those appendices before this document is finalized, please call.

The third assumption on page 4-7 of the original draft stated that the calculations were based on an ingestion adsorption of 10%. This is inaccurate as Ravi noted. The calculations were in fact based on 100% adsorption (please review the attached calculation sheets).

The calculation were redone using only the analyses from the top 18 inches, and treating all samples as equal (ignoring both stratification and compositing). The calculation sheets are included.

Finally, I would like to inform you that as of October 21, 1991, I will no longer be employed by Exceltech. The Project Manger will be Ms. Nalini Frush, and the staff toxicologist will be Ms. Mahdulla Logan. Please feel free to call either Ms. Frush or Ms. Logan with any questions. Should my personal knowledge be of value, Ms. Frush will be able to contact me.

Sincerely,

  
Jeff Willett, P.E., Manager  
Assessment, Compliance and Training

Enclosure

cc: Mr. Hugh Murphy, City of Hayward Fire Department  
Mr. Rob Robles  
Mr. John Barbour



EXCELTECH A RESNA Company

**RESNA**

Environmental Solutions  
Through Applied Science,  
Engineering & Construction

41674 Christy Street  
Fremont, CA 94538  
Phone: (510) 659-0404  
Fax: (510) 651-4677

September 6, 1991

RECEIVED BY  
HAZARDOUS MATERIALS OFFICE

SEP 10 1991

HAYWARD FIRE DEPARTMENT

Alameda County Health Agency  
Division of Hazardous Materials  
80 Swan Way, Room 200  
Oakland, California 94621

Attention: Ms. Pamela J. Evans  
Hazardous Materials Specialist

Subject: Draft Final Report  
Saklan Road Property, Hayward, California  
Exceltech Project No. 3-50058-51

Dear Ms. Evans:

Enclosed is a draft copy of the Final Report on the Saklan Road property. The last outstanding issue was the PCBs, and the five samples we took all came back non-detect. The laboratory analysis sheets are included.

I made an attempt to put the document in a usable form for the variety of potential readers. Sections 1 (Introduction), 2 (Chronology), and 3 (Conclusions) are short, less than one page each, and to the point. These three sections actually comprise an executive summary. Following these sections is a section with figures, tables and all the details of the calculations. Finally, the original Health Risk Assessment, my Revised Health Risk Assessment, and all the applicable data are included in the Appendices.

Please review this draft and let me know if this format is acceptable, and if sufficient information is supplied. As soon as you have provided your comments I will finalize the document and provide as many copies as you need.

As always, if you have any questions, please do not hesitate to call.

Sincerely,

Jeff Willett, P.E., Manager  
Assessment, Compliance and Training

Enclosure

cc: Mr. Hugh Murphy, City of Hayward Fire Department  
Mr. Rob Robles  
Mr. John Barbour



EXCELTECH A RESNA Company

**RESNA**

Environmental Solutions  
Through Applied Science,  
Engineering & Construction

41674 Christy Street  
Fremont, CA 94538  
Phone: (415) 659-0404  
Fax: (415) 651-4677

June 24, 1991

Alameda County Health Agency  
Division of Hazardous Materials  
80 Swan Way, Room 200  
Oakland, California 94621

Attention: Ms. Pamela J. Evans  
Hazardous Materials Specialist

Subject: Addendum to Revised Health Risk Assessment  
Saklan Road Property, Hayward, California  
Exceltech Project No. 3-50058-51

Dear Ms. Evans:

Enclosed are two copies of an Addendum to the Revised Health Risk Assessment in response to the requests in your letter dated June 10, 1991.

As we discussed on the telephone last week, this Addendum presents the cancer risk for Aldrin, Lindane, and DDT on the site as less than one-in-one-million. Additionally, it recommends sampling for confirmation of the presence of PCBs. Our clients are hopeful that you can accept the recommendations as presented.

I understand that the financial officer of the investment group is supposed to provide additional funding to your office early this week. If you have any questions, please do not hesitate to call.

Sincerely,

Jeff Willett, P.E., Manager  
Assessment, Compliance and Training

Enclosure

cc: Mr. Hugh Murphy, City of Hayward Fire Department  
Mr. Rob Robles  
Mr. John Barbour

91 JUN 27 PM 4:18

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)

June 10, 1991

F. Rob Robles  
Venture Properties  
9970-A Palm Court  
Morgan Hill CA 95037

RE: Risk Assessment and Addendum for 23836 Saklan Av., Hayward

Dear Mr. Robles:

I have reviewed the Revised Risk Assessment submitted by Exceltech for the site of your proposed residential development. This office will require clarification on the following issues prior to accepting the Risk Assessment:

1. The revision provided additional information concerning the inhalation hazard posed by each of the identified contaminants. However, the estimated exposure levels for inhalation have not been combined with the oral and dermal exposure levels to give a total exposure level for each contaminant. The Risk Assessment must include the **combined** estimated exposure levels for **each** contaminant for oral, dermal, and inhalation routes of exposure.
2. An issue that has been clarified recently with Exceltech is that of acceptable risk levels. It is the policy of the Department of Health Services, the City of Hayward, and this agency to use a 1:million increased health risk criteria for residential site remediations. The Risk Assessment must:
  - ✓ a) set forth soil concentrations that represent a 1:million increased risk level for each of the contaminants present;
  - ✓ b) specify the level at which each contaminant has been shown through soil analysis to be present;
  - ? c) calculate combined oral, dermal and inhalation estimated exposure levels.

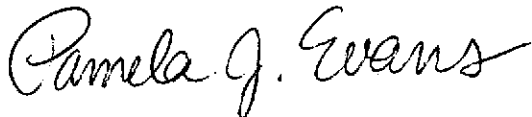
Existing contaminant levels must be compared to soil levels that represent an increased health risk of 1:million. Further

F. Rob Robles  
Venture Properties  
June 10, 1991  
Page 2 of 2

remediation at the site would be necessary if existing soil levels exceed those calculated to represent an increased health risk of 1:million.

The deposit submitted to this office for oversight of investigation and remediation activities has been exhausted. Please submit an additional deposit of \$1500.00 to cover past and future costs pertaining to this case. An accounting sheet detailing time spent is enclosed. You may call me with any questions or concerns at (415)271-4320.

Sincerely,



Pamela J. Evans  
Hazardous Materials Specialist

c: Jeff Willett, Exceltech  
Norm Riley, DHS  
Hugh Murphy, City of Hayward



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)

June 4, 1991

Norm Riley  
California Dept. of Health Services  
714/744 P. Street  
P.O. Box 942732  
Sacramento CA 94234-7320

RE: Acceptable Risk Levels for Contaminated Sites

Dear Dr. Riley:

A member of my staff, Pamela Evans, spoke with you recently about applicability of the regulatory levels for specific contaminants listed in the California Code of Regulations, (Health and Welfare Agency Title 26, Sections 22-12703 and 22-12705) to remediation of sites contaminated with listed chemicals. Section 22-12703 (b) states that, "for chemicals assessed in accordance with this section, the risk level which represents no significant risk shall be one which is calculated to result in one excess case of cancer in an exposed population of 100,000." These sections address quantitative risk assessment and daily exposure levels deemed to pose no significant risk within the meaning of Health and Safety Code Section 25249.10 (c).

Ms. Evans reported to me that you offered the following opinion regarding the applicability of these sections to remediation of contaminated sites slated for residential development: The regulatory levels found in section 22-12705 are applicable to enforcement of "Proposition 65" statutes, and are not used by the Department of Health Services as target figures for site remediation. Further, you stated that DHS continues to use a 1:million increased health risk criterion for evaluating adequacy of site remediations.

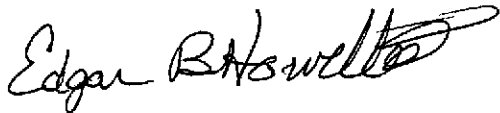
It has also been the policy of this agency to use the 1:million criterion in setting remediation levels for proposed residential sites in Alameda County. Until such time as specific regulatory clean up levels may be established for contaminants of public health concern, it will be our policy to require site developers

Norm Riley  
DHS  
June 4, 1991  
Page 2 of 2

to plan and carry out remediations using the 1:million increased health risk criterion as a target level.

Thank you for your assistance to my staff in this matter.

Sincerely,

A handwritten signature in cursive script that reads "Edgar B. Howell". The signature is written in dark ink and is positioned above the typed name.

Edgar B. Howell, Chief  
Hazardous Materials Division

c: Hugh Murphy, City of Hayward Fire Department  
Howard Hatayama, DHS  
F. Rob Robles, Venture Properties  
Jeff Willett, Exceltech



April 24, 1991

Alameda County Health Care Services Agency  
Department of Environmental Health  
Hazardous Materials Program  
80 Swan Way, Room 200  
Oakland, California 94621

Attention: Ms Pamela J. Evans  
Hazardous Materials Specialist

Subject: Pesticide Containing Soils at 23836 Saklan Ave., Hayward  
Venture Properties, Exceltech Project No. 3-50058-51

91 APR 26 09:10:17

Dear Ms Evans:

This letter is in response to your requests to Mr. Rob Robles in a letter dated March 14, 1991. We have previously submitted a copy of the Health Risk Assessment for the subject property, and enclosed is a copy of a letter addressing the well on the site, prepared by a registered geologist. This letter also outlines our proposal for additional site sampling to more fully characterize the vertical extent of the pesticide presence.

The Health Risk Assessment recommended a stratified random sampling plan. Essentially, this type of plan would involve random samples both horizontally and vertically on the site. We agree with the writer of the Assessment that this is the most statistically valid approach. However, we are proposing that the random sampling only occur horizontally, and that every sample be taken at a depth of 12 to 18 inches. Additionally, we propose that in each bore hole, an additional sample be taken between 24 and 30 inches below the surface and not analyzed unless the sample above it indicates detectable results.

Based on the conclusions of the Health Risk Assessment, we are proposing that analysis be performed only for DDT, DDD and DDE. We also propose that a total of four borings be made, resulting in four shallow and four deep samples. These borings will be accomplished by hand auger, and the samples stored, transported and analyzed according to EPA guidelines. The analysis will be accomplished by a California state-certified laboratory.

*Rain felt  
6 samples  
would be  
more app.*

*explained in  
table*

**EXCELTECH**

Ms. Pamela Evans  
April 24, 1991  
Page 2

Should you desire, a more detailed sampling plan with detailed sample handling procedures and sample locations will be prepared for your review prior to sampling.

*Will recalculate w/ additional figures from boring samples*  
As agreed, we will meet in your office on Tuesday, April 30 at 9:00 AM to discuss the Health Risk Assessment, the proposed sampling plan, and any remaining issues. Please call if you have any questions.

Sincerely,



Jeff Willett, P.E., Manager  
Assessment, Compliance and Training

CC: Mr. F. Rob Robles  
Mr. John D. Barbour  
Mr. Hugh Murphy

Enclosure



April 23, 1991

Community West Mortgage, Inc.  
175 Bernal Road, Suite 230  
San Jose, CA 95119

Attention: Mr. Rob Robles

Subject: Site Reconnaissance for Existing Well  
23836 Saklan Road, Hayward, California  
Exceltech Project No. 3-50058-51

Dear Mr. Robles:

A site reconnaissance was made to the above referenced site on March 29, 1991 by the undersigned geologist. The purpose of the reconnaissance was to observe the existing well near the rear of the property.

A review of California Department of Water Resources in Sacramento and Hayward information on wells in this region revealed that neither exploratory boring logs or well construction details were available for this site.

One well is located in an open field, and is surrounded by low brush and grass. The well sits on an 8-foot square concrete pad next to a large cylindrical tank. A power pole is near the well but all wiring is disconnected. The pump sitting atop the well has a plate with the name "Jet Flow" and the number "650045 EP." The well is estimated from surface observations to be 8- to 10-inches in diameter; the well casing was not observed directly. The large cylindrical tank is surmised to be either a sand filter or a surge tank. Piping exits the cylindrical tank and pump-wellhead assembly to an unknown point beyond the concrete pad. While the piping and equipment is rusty, cracks and breaks were not observed.

It is surmised that the well currently exists beneath the surface completion. Assuming the well is still open, the well casing could be sounded and a sample collected if a groundwater chemical analysis is desired. This would require removal of the well pump, as no sounding port exists.

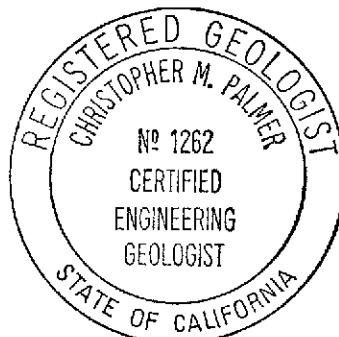
If you have any questions, please call.

Sincerely,  
Exceltech, Inc.

A handwritten signature in cursive script that reads "Christopher M. Palmer".

Christopher M. Palmer, C.E.G. 1262  
Senior Program Geologist

CMP/sw



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 14, 1991

F. Rob Robles  
Venture Properties  
9970-A Palm Court  
Morgan Hill CA 95037

RE: Pesticide Containing Soils at 23836 Saklan Av., Hayward

Dear Mr. Robles:

I am writing to follow up on meetings and conversations I have had with Dan Mercer of Exceltech regarding the site of your proposed residential development. We have worked toward clarifying a number of issues over the past few weeks, and Mr. Mercer has been instrumental in obtaining useful background information.

In order for this agency to properly evaluate what risks, if any, are posed to public health by the pesticide levels on site, additional information will be needed. In my telephone conversation with Mr. Mercer today, I outlined the following requirements for investigation of pesticide contamination at the site:

*But felt more than 4 samples He suggested by Jeff agreed*

1. You must provide a written description of the manner in which your soil sampling activities have met or will meet a 95% confidence level that the site has been sampled in a representative manner. Thus far, 4 discrete samples have been taken from the central portion of the property, where a greenhouse stood as of fall, 1990. These were followed by a set of 24 discrete samples combined into six composite samples. The second set was taken from an area that covered perhaps two thirds of the property.

2. A formal written health risk assessment must be prepared by a qualified person that addresses, at a minimum:

- a. Routes of exposure to onsite contaminants, taking into consideration oral, dermal, and inhalation exposures to the soil for construction personnel, future residents, and other persons who might be affected by pesticide residues in soils at the site.

F. Rob Robles  
Venture Properties  
March 14, 1991  
Page 2 of 2

Section 22-12705, Title 26 of the California Code of Regulations, specifies regulatory levels deemed to pose no significant health risk for number of chemicals, including some of those found to be present at your site. Where no regulatory level for a specific contaminant is listed in section 22-12705, the risk assessment must specify the level of no significant risk.


- b. The manner in which any significant health risks identified by the risk assessment will be mitigated.
3. The full lateral and vertical extent of contamination must be investigated and remediated to levels set within the accepted risk assessment.
4. You must provide complete information about any onsite wells. Please supply data concerning well age, construction and depth, and any available sampling results.

A few months ago, we discussed County versus Department of Health Services overview of your site investigation/remediation. At that time, I consulted with Martita Jeung of DHS, who advised that, regardless of which agency performs direct oversight, the course of your investigation should parallel the process outlined in the DHS publication titled **Interim Guidance for Preparation of a Preliminary Endangerment Assessment Report** dated June, 1990. I have provided you with a copy of the section of this document listing the elements that a Preliminary Endangerment Assessment Report should address.

The deposit submitted to this office for oversight of investigation and remediation activities has been exhausted. Please submit an additional deposit of \$500.00 to cover future costs pertaining to this case.

You may call me with any questions or concerns at (415)271-4320.

Sincerely,

  
Pamela J. Evans  
Hazardous Materials Specialist

c: Dan Mercer, Exceltech  
Martita Jeung, DHS  
Hugh Murphy, City of Hayward  
Richard Hiett, Regional Water Quality Control Board

## DEPARTMENT OF HEALTH SERVICES

714/744 P STREET  
P.O. BOX 942732  
SACRAMENTO, CA 94234-7320  
(916) 322-2822



91 FEB 2 February 095, 1991

Mr. Danny L. Mercer  
Exceltech  
41674 Christy Street  
Fremont, CA 94538-3114

Dear Mr. Mercer:

DDT CONTAMINATED SOIL, EXCELTECH PROJECT #3-50058-51

Thank you for your letter of February 7, 1991 to Mr. Jack Kearns regarding remediation and classification of pesticide contaminated soils at 23836 Saklan Avenue in Hayward, California. Because your letter appeared to address waste classification, Mr. Kearns referred your letter to the Alternative Technology Division (ATD) for response. After reading your letter and the letter you enclosed dated January 16, 1991 from Alameda County Department of Environmental Health, it appears that your letter is primarily questioning site remediation directives from Alameda County rather than asking for a waste classification.

Your February 7, 1991 letter states that the Alameda County Department of Environmental Health has taken the position that the soils are "pesticide-bearing (DDT) hazardous waste". Nowhere in their January 16, 1991 letter does Alameda County refer to these soils as hazardous wastes. However, some of the activities they require may result in the excavated contaminated soils becoming hazardous waste.

Their letter lists five requirements. Three of those address taking samples, defining extent of contamination, and conducting a risk assessment. The other two requirements address removing all soil exceeding the Total Threshold Limit Concentrations (unless that soil is undergoing remediation), and stockpiling all soil which is contaminated in order to determine the proper disposal or treatment. Our ATD staff feel it would be more prudent to complete the risk assessment prior to removing contaminated soil (e.g., the risk assessment might indicate that the contaminated soil could be left in place). However, it is within the authority of Alameda County to place all five of these requirements on the site owner if they feel those are needed to protect public health or the environment.

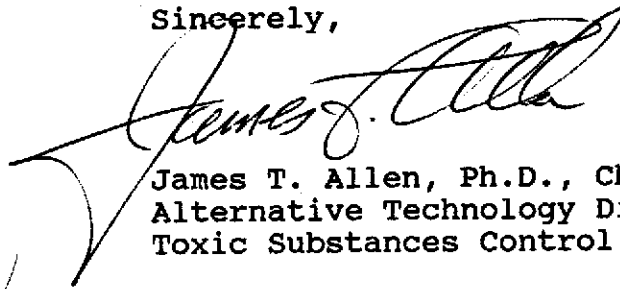
Based on the statutes you quoted, the contaminated soil on the property is not a waste until the construction activity creates a waste, i.e. until soil exceeding hazardous levels is excavated and removed from the site. If soil with DDT levels greater than 1 ppm is removed from the site, the soil would be subject to regulation as a hazardous waste.



Mr. Danny L. Mercer  
Page 2  
February 25, 1991

I believe our regional office in Berkeley is aware of similar projects, including one where DDT contaminated soil was to be placed in trenches under future streets for a housing project (with deed restrictions). You may want to contact them at (415) 540-3919. Should you have any questions regarding this letter, you may contact Mr. Greg Williams of my staff at (916) 324-1807.

Sincerely,



James T. Allen, Ph.D., Chief  
Alternative Technology Division  
Toxic Substances Control Program

cc: Ms. Pamela Evans ✓  
Alameda County Department of  
Environmental Health  
Hazardous Materials Program  
80 Swan Way, Room 200  
Oakland, CA 94621

Mr. F. Rob Robles  
Venture Properties  
9970-A Palm Court  
Morgan Hill, CA 95037

Mr. Howard Hatayama  
Region 2/Berkeley  
Toxic Substances Control Program  
Department of Health Services  
700 Heinz Avenue, Bldg. F, Second Floor  
Berkeley, CA 94710

Mr. Jack Kearns  
Deputy Director  
Toxic Substances Control Program  
Department of Health Services  
P.O. Box 942732  
Sacramento, CA 94234-7320

Mr. Allen Wolfenden  
Technical Services  
Toxic Substances Control Program  
Department of Health Services  
P.O. Box 942732  
Sacramento, CA 94234-7320

Mr. Danny L. Mercer

Page 3  
February 25, 1991

Ms. Caryn Woodhouse  
Alternative Technology Program  
Toxic Substances Control Division  
Department of Health Services  
P.O. Box 942732  
Sacramento, CA 94234-7320

14 Feb 1991

To: Greg Williams

From: John Menke; 3-4721

(916) 323-4721

COMMENTS ON FEBRUARY 7, 1991, LETTER FROM MR. DANNY MERCER OF EXCELTECH REGARDING SOIL WITH RESIDUAL DDT

The subject letter included as an attachment a January 16, 1991, letter from Alameda County Health Care Services. That letter contained the requirement that "Soils that exceed Title 22 Total Threshold Limit Concentrations ...not be allowed to remain on site over 90 days unless they are undergoing remediation". Whereas the soil with DDT levels greater than 1 PPM (the TTLIC value) has been on site for years, the requirement must be interpreted as applying to excavated soil. Since the excavated soil may be considered a hazardous waste<sup>1</sup> the County seems justified in setting that requirement. However, it should be made clear to the County that Title 22 does not apply to the soil if it is not excavated.

Also with respect to the January 16 letter, the County has the authority to request a risk assessment and set "acceptable" risk limits. However, with respect to DDT an "acceptable" level will probably exceed the TTLIC even for residential use. The acceptable level for commercial use will be even greater. As long as the County staff are competent in interpreting risk assessments and understanding risk management<sup>2</sup>, the apparent discrepancies should not cause any problems.

Your response to the February 7 letter suggests that they contact our regional office in Berkeley. Until they create a hazardous waste, our office has no authority to be involved (but may assist the County by providing technical information).

I've attached some reference material relating to the issue of DDT in converted agricultural property. As indicated in that material, Site Mitigation and TSB are planning to develop an information sheet on this subject. I'll keep you informed of progress.

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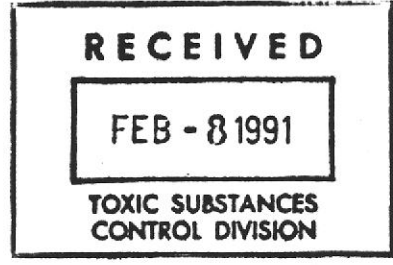
<sup>1</sup> If the soil has merely been piled by scraping and will be redistributed on-site, the material may not be a "waste". However, if the material has been excavated (apply the "daylight rule") and contains hazardous substances that exceed the TTLIC value, the "90 day rule" applicable to hazardous waste can be reasonably applied.

<sup>2</sup> Some risk management activities may call for soil with elevated DDT levels to remain on site, but actions to be taken to reduce or eliminate the risk by reducing the exposure. Such actions may include mixing the higher-pesticide-level soil (usually the upper few inches) with low-pesticide-level soil or using the higher-level soil for fill that will not be disturbed or for roadbase.



February 7, 1991

California Department of Health Services  
Toxic Substances Control Program  
744 P Street  
Sacramento, CA 94234



Attention: Mr. Jack Kearns  
Deputy Director

Subject: Soil Classification  
23836 Saklan Avenue, Hayward, California  
Exceltech Project No. 3-50058-51

Dear Mr. Kearns:

My client, Hayward Community Partners, has a residential housing development project located at 23836 Saklan Avenue in Hayward. The project has come to a halt because the Alameda County Department of Environmental Health (DEH) has taken the position that the site contains soils that are pesticide-bearing (DDT) hazardous wastes (see attached January 16, 1991 letter from DEH to R. Rob Robles). It is my client's position that there is no pesticide-bearing hazardous waste soils on the site for the following reasons. *← Their letter does NOT say this.*

- 1. The DDT residue in the shallow soils on the property (which is the site of a former greenhouse) resulted from the legal application of a pesticide. Under Section 25321 (d) of Chapter 6.8 Hazardous Substances Account of the California Health and Safety Code, normal application of pesticides are excluded from the definition of a hazardous substance release:

*"Release" does not include any of the following:*

- (d) The normal application of fertilizer, plant growth regulants, and pesticides.*

- 2. The soil on the property is not a waste as defined by Section 25124 of Chapter 6.5 Hazardous Waste Control of the Health and Safety Code. Since the soil is not a waste, it cannot be a hazardous waste.

After the issue regarding the soil classification is resolved, my client intends to demonstrate that the residual concentrations of DDT in the site soils are so low as to result in daily exposures below the "Specific Regulatory Levels Posing No Significant Risks" specified in Section 12705 of Title 22 of the California Code of Regulations.

Mr. Kearns, please issue me a letter by Friday, February 22, 1991, stating the Department of Health Services' concurrence with my clients position that the 23836 Saklan Avenue site in

**EXCELTECH**

California Department of Health Services  
Exceltech Project No. 3-50058-51  
Page 2

Hayward does not contain DDT-bearing hazardous waste. Should you or your staff require additional information regarding this site, please call me.

Sincerely,  
Exceltech, Inc.



Danny L. Mercer  
Program Manager

DLM/da

cc: Mr. John D. Barbour, Hayward Community Partners  
Ms. Pamela J. Evans, Alameda County Department of Environmental Health  
Mr. F. Rob Robles, Community West Mortgage, Inc.



91 FEB -8 AM 11:21

February 7, 1991

California Department of Health Services  
Toxic Substances Control Program  
744 P Street  
Sacramento, CA 94234

Attention: Mr. Jack Kearns  
Deputy Director

Subject: Soil Classification  
23836 Saklan Avenue, Hayward, California  
Exceltech Project No. 3-50058-51

Dear Mr. Kearns:

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**EXCELTECH**

California Department of Health Services  
Exceltech Project No. 3-50058-51  
Page 2

Hayward does not contain DDT-bearing hazardous waste. Should you or your staff require additional information regarding this site, please call me.

Sincerely,  
Exceltech, Inc.



Danny L. Mercer  
Program Manager

DLM/da

cc: Mr. John D. Barbour, Hayward Community Partners  
Ms. Pamela J. Evans, Alameda County Department of Environmental Health  
Mr. F. Rob Robles, Community West Mortgage, Inc.

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)

January 16, 1991

F. Rob Robles  
Venture Properties  
9970-A Palm Court  
Morgan Hill CA 95037

*This letter never says the soils  
are H.W.*

RE: Remediation of Pesticide Contaminated Soils at 23836 Saklan  
Av., Hayward 94545

Dear Mr. Robles:

I am writing to follow up on the January 14, 1991 meeting involving myself, Hugh Murphy with the City of Hayward, and Tim Loeb, Jeff Willett, and Allen Lund of Exceltech. I presented the following items as requirements of this office for site investigation and remediation:

1. A risk assessment must be prepared for the site in order to determine remediation levels for any known contaminants on site. These levels must be based upon an increased human health risk of no greater than one per million.
2. Soils that exceed Title 22 Total Threshold Limit Concentrations will not be allowed to remain on site over 90 days unless they are undergoing remediation.
3. The full lateral and vertical extent of contamination must be investigated and remediated to levels set by the Risk Assessment.
4. Contaminated surface soil must be scraped, stockpiled, and tested to establish contaminant levels in order to determine proper disposal or treatment.
5. You must provide additional information about any onsite wells. Please supply data concerning well construction and depth, and any available sampling results.

You must submit a written work plan to this office describing any further investigation of the site, planned remediation steps, disposition of any contaminated soil to be removed from the site, and



F. Rob Robles  
Venture Properties  
January 16, 1991  
Page 2 of 2

your timetable for completion of these activities. I will expect this work plan to be submitted by February 28, 1991. Your plan must be reviewed and accepted by this office before work begins. You may call me with any questions or concerns at (415)271-4320.

Sincerely,



Pamela J. Evans  
Hazardous Materials Specialist

c: Richard Hiett, RWQCB  
Howard Hatayama, DHS  
Hugh Murphy, City of Hayward  
Timothy Loeb, Exceltech

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



RECEIVED BY  
HAZARDOUS MATERIALS OFFICE

JAN 22 1991

HAYWARD FIRE DEPARTMENT

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

January 16, 1991

F. Rob Robles  
Venture Properties  
9970-A Palm Court  
Morgan Hill CA 95037

RE: Remediation of Pesticide Contaminated Soils at 23836 Saklan  
Av., Hayward 94545

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F. Rob Robles  
Venture Properties  
January 16, 1991  
Page 2 of 2

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Sincerely,



Pamela J. Evans  
Hazardous Materials Specialist

c: Richard Hiett, RWQCB  
Howard Hatayama, DHS  
Hugh Murphy, City of Hayward  
Timothy Loeb, Exceltech

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)

November 16, 1990

F. Rob Robles  
Venture Properties  
9970-A Palm Court  
Morgan Hill CA 95037

RE: 23836 Saklan Av., Hayward 94545

Dear Mr. Robles:

I have reviewed the soil sampling report (dated 10/30/90) and the proposed sampling plan (dated 11/8/90) by CHIPS Environmental Consultants. On November 8, we discussed the need for more complete soil sampling at the site. CHIPS then supplied the sampling plan and has proposed sampling today. I discussed the plan this morning with CHIPS, and specified the following changes and additions be made:

- Spoke w/ Bruce Ahern - sampling was done per directions 11/16/90*
1. **Clarify which discrete samples will be composited:** I made pen and ink changes to the sampling map reflecting how individual samples will be grouped for analysis. I specified that all compositing must be done in the laboratory rather than in the field. I also explained that composite sample results are interpreted on a "worst case" basis; it is assumed that all of the contamination found among the discrete samples may have come from a single hot spot, rather than that the all discrete samples contain the same average value.
  2. **Samples must be taken within a 6 inch, driven brass tube beginning at a minimum soil depth of 4-6 inches.** Soil would then be sampled from depths ranging from 4 to 12 inches.

I also have the following concerns and questions regarding the site and require that you address each of these concerns in writing:

1. The results of the first round of sampling indicate that the tested soil is contaminated above regulatory levels that designate a substance as hazardous waste. As Mark Chips recommended in his sampling report, this and any other similarly contaminated surface soil must be scraped, stockpiled, and retested. You must establish contaminant levels in this surface soil in order to determine proper disposal or treatment.

You are also required to take samples from the surface of the newly exposed soil beneath contaminated areas in order to either confirm that all contaminated soil has been removed or to begin

F. Rob Robles  
Venture Properties  
November 16, 1990  
Page 2 of 2

exploring the full depth and breadth of contamination. You will need to submit a written sampling plan to this office that includes the following information:

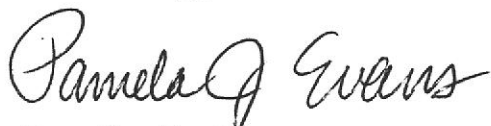
- number of samples to be taken
- proposed locations of samples
- description of sampling protocol

This plan must be reviewed and approved by this office before work begins.

2. I will need more information about the domestic well located a few feet to the east of the greenhouse, and any other onsite wells. Please provide information about well construction and depth, and any available sampling information.

In order to cover our costs for past and future review of this matter, please submit a check, payable to Alameda County, for \$500.00. The Trident Trucklines property account (23724 Saklan Av.) will be maintained separately unless you direct otherwise. You may call me with any questions or concerns at (415)271-4320.

Sincerely,



Pamela J. Evans  
Hazardous Materials Specialist

c: Richard Hiett, RWQCB  
Howard Hatayama, DHS  
Hugh Murphy, City of Hayward  
Mark Chips, CHIPS Environmental Consultants

December 27, 1990

Subject: Pesticide Contaminated Sites and Need for DHS Technical Guidance on Local Cases

Two active remediation sites in the Hayward area involve the clean up of various pesticide residues. In both cases, housing developments are planned. Both of these properties are former greenhouse nurseries where intensive pesticide use has occurred. Soils at both sites are contaminated with DDT and its breakdown products. One of the sites, formerly known as Sunnyside Nursery, has been shown to be contaminated with endosulfan as well. Sunnyside's pesticide residue levels have been mostly well under TTLC levels found in Title 22 of the California Code of Regulations. The second site, on Saklan Rd., is contaminated well above TTLC levels in some spots with DDT, DDD, and DDE. Aldrin and lindane isomers are also present at below TTLC concentrations.

A number of questions have arisen in the course of reviewing these cases:

1. Should pesticide contaminated site cases be referred to DHS?
2. Does DHS have a comprehensive list of health based action limits that can be used to evaluate health risk analyses done in the course of a site remediation, or that could be used to establish clean up goals? Where might these figures be found?
3. When does DHS require that a Preliminary Endangerment Assessment be carried out? Under what circumstances is a PEA recommended? Do local agencies routinely require a PEA for planning decisions or for other reasons?
4. Under what circumstances are health risk assessments required as part of a site clean up? It seems that if the site can be shown to have been remediated to below some accepted health risk level (i.e. 1/million increased cancer risk), a risk assessment would be superfluous.
5. Has DHS allowed contaminated soils to be "encapsulated" onsite under roadbeds? If so, what are the conditions of allowing such a practice?
6. Has DHS allowed contaminated soils to be left in place? If so, what have been the parameters for allowing such a practice?
7. What standards can be applied for pesticide residues for which no TTLCs have been established?

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



RECEIVED BY  
HAZARDOUS MATERIALS OFFICE

NOV 20 1990

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

November 16, 1990

F. Rob Robles  
Venture Properties  
9970-A Palm Court  
Morgan Hill CA 95037

RE: 23836 Saklan Av., Hayward 94545

Dear Mr. Robles:

I have reviewed the soil sampling report (dated 10/30/90) and the proposed sampling plan (dated 11/8/90) by CHIPS Environmental Consultants. On November 8, we discussed the need for more complete soil sampling at the site. CHIPS then supplied the sampling plan and has proposed sampling today. I discussed the plan this morning with CHIPS, and specified the following changes and additions be made:

1. **Clarify which discrete samples will be composited:** I made pen and ink changes to the sampling map reflecting how individual samples will be grouped for analysis. I specified that all compositing must be done in the laboratory rather than in the field. I also explained that composite sample results are interpreted on a "worst case" basis; it is assumed that all of the contamination found among the discrete samples may have come from a single hot spot, rather than that the all discrete samples contain the same average value.
2. **Samples must be taken within a 6 inch, driven brass tube beginning at a minimum soil depth of 4-6 inches.** Soil would then be sampled from depths ranging from 4 to 12 inches.

I also have the following concerns and questions regarding the site and require that you address each of these concerns in writing:

1. The results of the first round of sampling indicate that the tested soil is contaminated above regulatory levels that designate a substance as hazardous waste. As Mark Chips recommended in his sampling report, this and any other similarly contaminated surface soil must be scraped, stockpiled, and retested. You must establish contaminant levels in this surface soil in order to determine proper disposal or treatment.

You are also required to take samples from the surface of the newly exposed soil beneath contaminated areas in order to either confirm that all contaminated soil has been removed or to begin

F. Rob Robles  
Venture Properties  
November 16, 1990  
Page 2 of 2

exploring the full depth and breadth of contamination. You will need to submit a written sampling plan to this office that includes the following information:

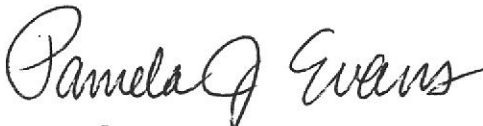
- number of samples to be taken
- proposed locations of samples
- description of sampling protocol

This plan must be reviewed and approved by this office before work begins.

2. I will need more information about the domestic well located a few feet to the east of the greenhouse, and any other onsite wells. Please provide information about well construction and depth, and any available sampling information.

In order to cover our costs for past and future review of this matter, please submit a check, payable to Alameda County, for \$500.00. The Trident Trucklines property account (23724 Saklan Av.) will be maintained separately unless you direct otherwise. You may call me with any questions or concerns at (415)271-4320.

Sincerely,



Pamela J. Evans  
Hazardous Materials Specialist

c: Richard Hiett, RWQCB  
Howard Hatayama, DHS  
Hugh Murphy, City of Hayward  
Mark Chips, CHIPS Environmental Consultants



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)

November 7, 1990

F. Rob Robles  
Venture Properties  
9970-A Palm Court  
Morgan Hill CA 95037

RE: 23836 Saklan Av., Hayward 94545

Dear Mr. Robles:

I have reviewed the soil sampling results and report by CHIPS Environmental Consultants. As we discussed today, I have the following concerns and questions regarding the site and require that you address each of these concerns in writing:

1. Please provide additional site history information for the referenced address so that we can evaluate whether all potential contamination problems at the site are being looked into. The site history should include information about the past uses and activities at the site. Of particular interest in this case would be information about the number and location of all former greenhouses on the property, plants grown in the greenhouses, and types of pesticides used. It should include a description of land use previous to the time the greenhouses were erected, if such information is available. In the future, please submit site history information, along with a sampling plan, before beginning investigative work on any parcel to be developed.
2. The levels of DDT, DDE, and DDD and other contaminants indicate that the soil on the floor of the former greenhouse is contaminated above regulatory levels that designate a substance as hazardous waste. As Mark Chips recommended in his sampling report, this surface soil must be scraped, stockpiled, and retested. You must establish contaminant levels in this surface soil in order to determine proper disposal or treatment.

You are also required to take samples from the surface of the newly exposed soil in order to either confirm that all contaminated soil has been removed or to begin exploring the full depth and breadth of contamination. You will need to submit a written sampling plan to this office that includes the following information:

- number of samples to be taken
- proposed locations of samples
- description of sampling protocol

NOV 13 1990

HAYWARD FIRE DEPARTMENT

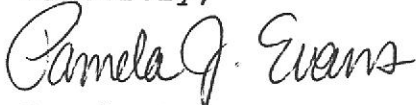
F. Rob Robles  
Venture Properties  
November 7, 1990  
Page 2 of 2

This plan must be submitted and reviewed by this office. As for your plans to do further sampling on November 8, it is difficult for me to gauge the value of this activity without complete site history information and a sampling plan. You may proceed, however, keep in mind that the value of any samples you take on November 8 may be limited.

3. I will need more information about the domestic well located a few feet to the east of the greenhouse, and any other onsite wells. Please provide information about well construction and depth, and any available sampling information.

In order to cover our costs for past and future review of this matter, please submit a check, payable to Alameda County, for \$500.00. The Trident Trucklines property account (23724 Saklan Av.) will be maintained separately. You may call me with any questions or concerns at (415)271-4320.

Sincerely,



Pamela J. Evans  
Hazardous Materials Specialist

c: Richard Hiett, RWQCB  
Howard Hatayama, DHS  
Hugh Murphy, City of Hayward  
Mark Chips, CHIPS Environmental Consultants

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



RECEIVED BY  
HAZARDOUS MATERIALS OFFICE

OCT 18 1990

HAYWARD FIRE DEPARTMENT

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

August 27, 1990

F. Rob Robles  
Venture Properties  
9970-A Palm Court  
Morgan Hill CA 95037

RE: 23724 Saklan Av., Hayward 94545

Dear Mr. Robles:

I have reviewed the groundwater sampling results and report by CHIPS Environmental Consultants. Sample analyses indicates that, for the second time in two months, petroleum fuel constituents are not present in the monitoring well above detectable levels.

You must sample the monitoring well quarterly, beginning no later than December 15, 1990 and submit analysis results to this office. The quarterly sampling must continue for a minimum of one year. It may be necessary to monitor beyond this time period based on any positive sampling results and because current drought conditions may interfere with groundwater flow rate and direction. Should detectable levels of any fuel constituent be found, you will be required to install additional monitoring wells and to carry out a groundwater investigation.

In order to cover our costs for past and future review of this matter, please submit a check, payable to Alameda County, for \$1000.00.

You may call me with any questions or concerns at (415)271-4320.

Sincerely,

Pamela J. Evans  
Hazardous Materials Specialist

c: Richard Hiett, RWQCB  
Hugh Murphy, City of Hayward  
Bob Senna, Trident Trucklines



January 19, 1990

City of Hayward  
Hazardous Materials Division  
22300 Foothill Boulevard  
Hayward, California 94541

Attn: Mr. Hugh Murphy  
Hazardous Materials Specialist

Re: Phase I Site Assessment  
23718-23836 Saklan Avenue  
EES Project No. 9330A

Dear Mr. Murphy,

In response to your request for additional information and Phase II site assessment recommendations regarding the Property referenced above, I am providing this addendum to the Phase I site assessment report dated September, 1989.

#### 1.0 Phase II Recommendations

EES recommends a limited soil and groundwater study for the parcels currently occupied by Trident Trucking. The following activities should be completed as part of this study:

- Drill one exploratory boring adjacent to the existing underground fuel tank complex. The boring will be terminated below the bottom of the tank hole at an approximate depth of 15 feet. Otherwise, the boring will be terminated when contact is made with the uppermost water bearing stratum.


- Collect one soil sample and one grab water sample from this boring. Analyze each sample for total petroleum hydrocarbons (TPH), benzene, toluene, xylene, ethylbenzene, and diesel fuel.
- Drill two shallow borings adjacent to the 500 gallon aboveground waste oil storage tank located on the western corner of the site. Terminate each boring at a depth of three feet.
- Collect one soil sample from each boring and analyze each sample for waste oil tank constituents according to California Regional Water Quality Control Board requirements. Required analyses include total petroleum hydrocarbons (TPH), diesel fuel, oil and grease, benzene, toluene, xylene, ethylbenzene and chlorinated solvents.
- If the laboratory analyses indicate concentrations of soil contamination exceeding California Department of Health Services action levels, EES will recommend that excavation of visibly contaminated soil be completed. Collection of additional soil samples will be required to verify that contaminated soil has been removed.

## 2.0 Additional Information Concerning Adjacent Sites

EES completed several visual surveys of sites located within the immediate vicinity of the Property. Noxious or obtrusive odors were never noticed in the vicinity of the Property. At no time during these surveys were any odors noticed coming from the light industrial complexes located along Saklan Avenue between Middle Lane and West Street.

No aboveground storage tanks, chemical storage areas or drum storage areas were observed on these sites located along Saklan Avenue across from the Property.

Sincerely,  
Ensco Environmental Services, Inc.

  
Timothy G. Loeb, R.E.A. 519  
Environmental Specialist

FILE OR PER NO. <b>Remediation</b>	ENVELOPE No. _____ of _____	<b>PLAN REVIEW</b> \$ <b>500.00</b> Rec'd. <b>to 11/27/90</b> No. _____ Plans Rec'd. _____ <input type="checkbox"/> Plans Approved <input type="checkbox"/> Layout Made <input type="checkbox"/> Rejected <input type="checkbox"/> Applicant Notified <input type="checkbox"/> Plans Returned <input type="checkbox"/> Permit Issued <b>CONSTRUCTION PROGRESS ACCEPTANCE</b> <input type="checkbox"/> Pre-Plaster/drywall <input type="checkbox"/> Pre-Final <input checked="" type="checkbox"/> Final	<b>POOL</b> Pre-Concrete/Gunite Pre-Plaster Final <b>EXCAVATION</b> Septic Tank Absorption Field Absorption Bed House Sewer <b>FINAL</b> Septic Tank Absorption Field Absorption Bed <b>OTHER</b>	By Date	By Date	<b>U.G. TANKS</b> Pre-Covering  Final
<input type="checkbox"/> <b>OWNER</b> <b>Rob Robles</b> Address <b>23836 Surlan Ave</b> Phone <b>Hayward 194545</b>						
<input type="checkbox"/> <b>Contractor</b> Address _____ Phone _____						
<input type="checkbox"/> <b>OTHER (Specify)</b> Address _____ Phone _____						
<input checked="" type="checkbox"/> <b>CONTACT FOR INVESTIGATION</b>						

XR	REMARKS			Date	By

LOCATION     Vicinity Map  <b>0517145</b> <b>11/27/90</b> <b>\$500.00</b>	
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