



September 13, 1996

96 SEP 16 PM 4:05

**389.0201.001**

William D. Wick, Esq.  
Crosby, Heafey, Roach & May  
1999 Harrison Street  
Oakland, California 94612-3573

**Subject: Kmart/Former American National Can Co. and Ekotek Sites  
Oakland, California**

Dear Bill:

On behalf of Kmart Corporation, this letter is submitted in response to your further inquiries, contained in your letter of August 30, 1996, regarding subsurface work and site conditions on the Kmart site. In preparing this response, we have sought assistance from American National Can Company ("ANC"), its consultant Rust Environment and Infrastructure, Inc. ("Rust") and High Street Associates ("HSA"), the project developer.

In response to your first and second questions, and as noted in the August 23, 1996, letter to you from Rust and PES Environmental, Inc. ("PES"), ANC and Rust evaluated potential contributions to subsurface water levels from utilities and structures on their site. Rust has prepared a letter to me describing their work. A copy is enclosed (Attachment 1) for your information and for review by Erler & Kalinowski, Inc. ("EKI"). Rust has also provided two drawings depicting historical subsurface utilities related to the former ANC facility (Attachments 2 and 3). Kmart did not perform investigations at the site related to these matters.

Rust's letter also provides information related to your third question. They note that ANC removed only underground storage tanks and associated piping, none of which were in the proximity of Area 3, adjacent to the Ekotek site.

Kmart took possession of the site after the ANC facilities had been demolished and removed. It did not remove subsurface structures or utilities. HSA has assisted in responding to your third question by asking Plant Reclamation, HSA's demolition contractor, to prepare a letter describing the subsurface work it performed during removal of the former ANC facility from the site. Enclosed is a copy of Plant Reclamation's letter (Attachment 4).

In response to your fourth question, the enclosed Attachment 5 is a drawing of Kmart's storm water drainage system. It is my understanding that the system was built as designed.

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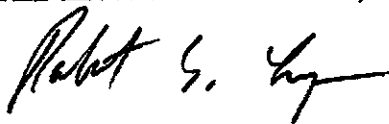
In response to your fifth question, enclosed is a drawing of Kmart's landscape irrigation system (Attachment 6). The individual systems are on timers, as is typical of such systems. Kmart's landscape contractor provides ongoing maintenance of the landscaping, which includes adjustment of the irrigation cycles to match seasonal conditions and plant needs (i.e., evapotranspiration).

Kmart, ANC and HSA recognize the importance of EKI's review of this information in advance of your September 30 meeting with staff of the Regional Board and Alameda County Health. EKI's need to evaluate this information for its implications to ongoing investigations and remedy on the Ekotek site is understandable. However, although you correctly state in your August 30 letter that the mound "assertedly occurs underneath the property border," repeated monitoring events have shown the highest elevations of the mound, and consequently the likely source of the mound, do not occur interior of the Kmart site, nor underneath the property boundary. Rather, the highest mound elevations are observed in wells in the interior of the Ekotek property, in the vicinity of documented subsurface structures and pipelines. Further, monitoring for years has shown the mound has persisted, irrespective of removal of the ANC facility and its subsurface features, and irrespective of construction of the Kmart facility.

I again offer to discuss these matters with EKI if that would be helpful.

Yours very truly,

PES ENVIRONMENTAL, INC.



Robert S. Creps, P.E.  
Principal Engineer

- Attachments:
- Attachment 1: Letter entitled *Subsurface Structures, Former ANC Oakland Property*, from E. Alusow of Rust to R. Creps, dated September 11, 1996
  - Attachment 2: Drawing entitled *American Can Co., Oakland, CA*. Drawing No. AOK-8061, dated September 28, 1983.
  - Attachment 3: Drawing entitled *Oakland Plant 099, Underground Piping on Plot Plan*, dated March 1971

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**Attachment 4: Letter entitled *Former American National Can Facility, 3801 East 8th Street, Oakland, California*, from Fred Glueck of Plant Reclamation to James M. Kessler, dated September 12, 1996.**

**Attachment 5: Drawing entitled *Utility Plan, Store #4944 Drawing No. C-4.0*, dated March 7, 1995.**

**Attachment 6: Drawing entitled *Irrigation Plan, Drawing No. I-1.0*, dated February 7, 1995.**

**cc: Dave Bruegel  
Rich Williams  
Jim Kessler  
Pat Cafferty  
Ed Alusow  
Steve Morse  
Sum Arigala  
Barney Chan**

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# **RUST Rust Environment & Infrastructure Inc.**

A Rust International Company  
12 Metro Park Road  
Albany, NY 12205

Phone 518.458.1313  
Fax 518.458.2472

## **ATTACHMENT 1**

September 11, 1996

Robert S. Creps, P.E.  
Associate Engineer  
PES Environmental, Inc.  
1682 Novato Boulevard, Suite 100  
Novato, CA 94947

RE: Subsurface Structures  
Former ANC Oakland Property

Dear Mr. Creps:

This letter is an attempt to provide you with information to respond to William D. Wick's letters of June 11 and August 30, 1996. In reviewing Mr. Wick's five questions, as presented in his August 30 letter, it is obvious that questions (4) and (5) would be most appropriately answered by Kmart or High Street Associates. Of the other questions, this letter will provide information available to Rust Environment & Infrastructure (Rust) and American National Can Company (ANC) with the aim of satisfying Mr. Wick's requests.

Questions (1) and (2): ANC had available certain drawings depicting the locations of subsurface structures such as building basements, sumps, storm and sanitary sewer lines, water mains, and other buried structures. Therefore, no investigation was conducted to locate any other subsurface structures. No previously unidentified structures were encountered during soil and groundwater investigations (sample borings and monitoring well installation), or during extensive soil excavation that took place in conjunction with environmental remediation activities. Copies of drawings showing surface and subsurface structures, sewers, and pipelines relative to the locations of pre-demolition buildings and property lines are enclosed with this letter.

In September 1993, a one-day test was conducted to measure the volume of water passing through the water meter located at the EBMUD service connection on East 8th Street. The test consisted of recording the meter reading on September 29 and again on September 30. The difference between the two readings was 160 cubic feet, or about 1200 gallons. This was considered to be in the range of normal use within the plant. No further investigations were conducted of subsurface structures.

Question (3): ANC, for its part, removed only underground storage tanks and associated piping from its property. None of the UST's was in the area of the property in proximity to Ekotech Lube, designated as Area 3. The closest UST was between 200 and 300 feet from the property line, and

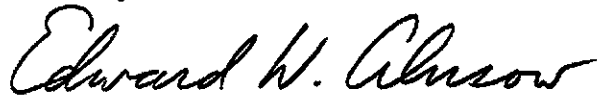


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well beyond the subsurface region where groundwater is affected by the groundwater mound beneath the Ekotech property. No other subsurface structures were removed by ANC.

If Rust can be of further assistance in these matters, please do not hesitate to call me.

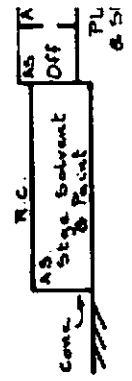
Sincerely,

A handwritten signature in cursive script that reads "Edward W. Alusow".

Edward W. Alusow  
Senior Project Manager

Enclosures


cc: R. Rivetna  
P. Cafferty, Esq.  
D. Bruegel, Esq.



## ATTACHMENT 2

THIS PLAN FOR INSURANCE COMPANY  
UNDERWRITING PURPOSES AND USE ONLY

REV. 3-6 - 84

	<h1 style="margin: 0;">AMERICAN CAN CO.</h1>		
<h2 style="margin: 0;">HPR DEPT</h2>	<h1 style="margin: 0;">OAKLAND, CA.</h1>		
	<p>SCALE</p>	<p>DATE</p>	<p>DRAWING N°:</p>

OAKLAND FACTORY SEWER PLAN, B/P-B8 (2-1918)

~ ~ ~ ~ ~ B/P-B26 (1-1918)

~ ~ ~ ~ ~ B/P-B59 (6-1946)

~ ~ ~ ~ ~ : PF. 2 - SHTS: 21, 55, 56, 71, 105, 106.

~ ~ ~ ~ ~ : PF. 1 - SH. 75 PUMP HOUSE

ATTACHMENT 3

PW 099 0028

NO.		REVISION	BY	DATE
		OVERHEAD DRAIN FROM BOILER RM. SUMP AREA	J.E.S	4-18-72



AMERICAN CAN COMPANY

OAKLAND PLANT 099  
UNDERGROUND  
PIPING ON PLOT PLAN

DRAWN BY WMF  
CHECKED BY  
DATE March 1971  
SCALE 1" = 40'

AMERICAN CAN COMPANY  
BUILDING & CONSTRUCTION  
ENGINEERING  
455 VALLEY DRIVE  
BRISBANE, CALIFORNIA

PROJECT NO.  
PF. 2 SH 130



## ATTACHMENT 4

**PLANT RECLAMATION**

September 12, 1996

Mr. James M. Kessler  
Partner  
High Street Associates  
100 Bush St.  
24th Floor  
San Francisco, California 94104

RE: Former American National Can Facility  
3801 East 8th Street  
Oakland, California

Dear Mr. Kessler

Plant Reclamation performed the dismantling of the American National Can (ANC) facility in Oakland, California for The Martin Group/High Street Associates. Per demolition permit No. B9400366 Plant Reclamation demolished all above and below grade improvements and cleared the site. Part of our responsibility was removing and capping off abandoned utility systems. The owner of the site, ANC, was responsible for disconnection of all services.

We, as the contractor, worked with the City of Oakland, East Bay Municipal Utility District, P G & E and the Fire Department to locate, identify and cap those services which served the property.

Based on the data and drawings provided at the time of the project, we removed all underground utilities that were onsite, service was shut-off by all the providers and the service lines were capped at property line.

If you have any questions, please call me.

Sincerely

Fred Gneuck  
President



TELEPHONE  
SANITARY SEWER

ATTACHMENT 5

# UTILITY PLAN

STORE #4944

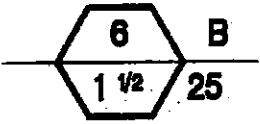
PREPARED FOR



KMART DEVELOPMENT  
— KMART CORPORATION  
1100 WESTINGHOUSE BLVD  
P.O. BOX 100000

0-4-0

6 S.F.



SIGN IS DIAGRAMMATIC. ALL PIPING,  
 ETC., SHOWN WITHIN PAVED AREAS ARE  
 SIGN CLARIFICATION ONLY AND SHALL BE  
 ED IN PLANTING AREAS WHENEVER POSSIBLE.

CTOR SHALL ADJUST THE SPRAY PATTERNS  
 IRRIGATION HEADS TO INSURE ABSOLUTELY  
 DING, RUN-OFF, OR OVER SPRAY ONTO  
 NT HARDSCAPE AND PRIVATE PROPERTY.  
 L. ADJUST THE SPRAY PATTERN BY USING  
 GATION HEAD'S ADJUSTING SCREW.

ATTACHMENT 6

# IRRIGATION PLAN



**KMART DEVELOPMENT**  
**KMART CORPORATION**  
 3100 WEST BIG BEAVER TROY  
 TROY, MICHIGAN 48068-1516

PREPARED FOR

JOB No.: 2066-94-04  
 SCALE: 1"=40'  
 DESIGNED BY: HRY  
 DRAWN BY: MLY  
 DATE: 02/07/95  
 TIME: 11:47

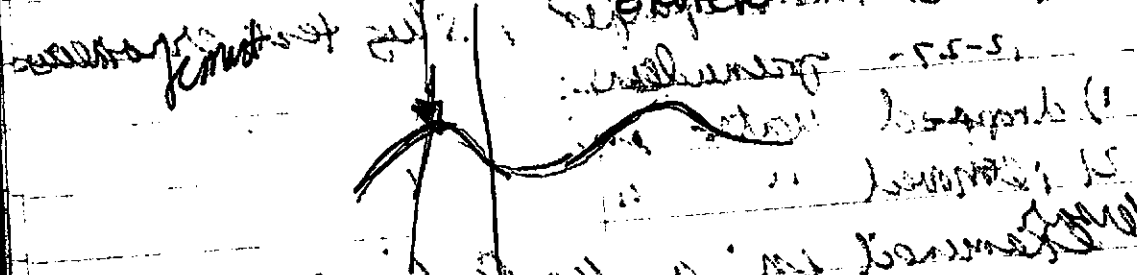
SHEET  
**11.0**  
 OF 16 SHEETS

9/13

Penit / R. keeps

300 → 345 PRMCO  
~~345~~ ~~450~~ ~~KNAPT~~ ~~KNAPT~~

H2O line



ARC + Kmark - condusion

MW-2 screened into sand lens

most other wells screened low  
 sand lens is not A.A. - A.A. is  
 sand lens level is low  
 2P and all other data

level of ground water is high - high level 239.  
 report next week - show their finger  
 their water program will be follow.