

FMC Corporation

1735 Market Street
Philadelphia Pennsylvania 19103
215 299 6000

ENVIRONMENTAL
PROTECTION
99 AUG 19 PM 12:01

August 16, 1999



Certified Mail

Return Receipt Requested

State of California
Regional Water Quality Control Board
San Francisco Bay Region
1515 Clay Street, Suite 1400
Oakland, California 94612

To: Ms. Loretta K. Barsamian
Executive Officer

Attn: Mr. Ade Fagorala
Associate Engineering Geologist

Re: Request for Extension of Compliance Date
Submittal of the Report on Proposed Final Remedial Actions and
Cleanup Standards (Remedial Alternatives Report)
Task B.3., RWQCB Order No. 98-066
FMC Corporation
8787 Enterprise Drive
Newark, Alameda County, California 94560

Dear Ms. Barsamian:

By the present letter FMC Corporation (FMC) is providing notice under Task B.4. and requesting an extension from September 1, 1999 to March 1, 2000 relative to submittal of the report on "Proposed Final Remedial Actions and Cleanup Standards" ("Remedial Alternatives Report") required under Task B.3. of the State of California Regional Water Quality Control Board, San Francisco Bay Region (RWQCB) Order No. 98-066, "Revision of Site Cleanup Requirements and Rescission of Order No. 89-055 for: FMC Corporation, 8787 Enterprise Drive, Newark, California." The Regional Board adopted Order No. 98-066 on July 15, 1998.

This extension is requested due to delays experienced in undertaking the remedial investigation and submittal of the Remedial Investigation Report. For reasons outlined in a March 5, 1999 request for extension of the date for submittal of the Remedial Investigation Report, there was a delay of approximately two and half

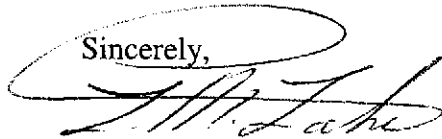
Ms. Loretta Barsamian
August 16, 1999
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months (from April 1, 1999 to June 15, 1999) in submittal of the RI Report. In addition, FMC has not yet received an approval letter or even any comments from the RWQCB with respect to the RI Report. FMC will submit the Remedial Alternatives Report to the RWQCB by March 1, 2000 if approval of the RI Report has been received by August 31, 1999, which provides FMC sufficient time (approximately 180 days from the approval of the RI Report) to prepare the Remedial Alternatives Report.

If this is a matter, which Executive Officer can handle, please do so. Otherwise, please present this request for an extension to the Regional Board at its next meeting.

We appreciate your cooperation in this matter. If there are questions or if additional information is needed, please advise me at (408) 289-3141.

Sincerely,



Zahra M. Zahiraleslamzadeh
Project Manager
Remediation Department
FMC Corporation

cc: Mr. Steven Hill - Regional Water Quality Control Board
Ms. Jacqueline Bretschneider - City of Newark Fire Department
Ms. Barbara Cook - California Department of Toxic Substances Control
Mr. Steven Inn - Alameda County Water District
Mr. Thomas Peacock - Alameda County Health Agency

FMC Corporation

Chemical Products Group
8787 Enterprise Drive
Newark California 94560
510 795 4323



December 2, 1996

Mr. Tom Peacock, Area Manager
Environmental Protection Division
Environmental Health Department
Alameda County Health Care Services Agency
1131 Harbor Bay Parkway, Suite 250
Alameda, California 94502-6577

RE: Project #4640A - Type M
8787 Enterprise Drive
Newark, California

Dear Mr. Peacock:

FMC Corporation (FMC) is in receipt of the October 25, 1996, Alameda County Health Care Services Agency (ACHCS) letter, over your signature, requesting FMC provide additional funds in the form of a "deposit" of \$1,500 to replenish the account used to cover the oversight of the above-referenced project. FMC is unable to provide the requested additional payment at this time because we will need documentation concerning activities and hours incurred to date, as well as a projection of such activities and hours in the future. This is consistent with standard accounting practices and our corporate policies.

FMC, by transmittal dated August 8, 1996, has already submitted \$2,750 to cover these oversight costs. We understood that these funds previously covered the past and future anticipated oversight costs incurred by the ACHCS.

I'm sure you can understand our position on this issue. I can be reached at (510) 795-4351 if further discussion would be helpful.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles E. Epstein". The signature is written in a cursive style with some loops and flourishes.

Charles E. Epstein, CHMM
Remediation Project Manager

CEE/ce

cc: Ms. Madulla Logan, Alameda County Health Care Services Agency
Mr. George Young, Alameda County Health Officer
Mr. Robert Chambers, Alameda County District Attorney's Office
Ms. Barbara Ransom, Environmental Manager, Cargill, Inc.

November 12, 1996

Mr. Tom Peacock, Area Manager
Environmental Protection
Alameda County Health Care Services Agency
1131 Harbor Bay Parkway
Suite 250
Alameda, California 94502-6577

RE: Project #4640A - Type M
8787 Enterprise Drive
Newark, California

Dear Mr. Peacock:

FMC Corporation (FMC) is in receipt of your letter dated October 25, 1996, requesting FMC provide additional funds in the form of a "deposit" of \$1,500 to replenish the account used to cover the Alameda County Health Care Services Agency's (ACHCS) oversight of the above-referenced project.

FMC has already submitted \$2,750 to cover these oversight costs. We understood that these funds should have covered the past and future oversight costs incurred by the ACHCS. We cannot submit any additional monies until the ACHCS provides us with documentation of the expenditures to date, in accordance with our corporate policy to account for all expenditures.

I'm sure you can understand our position on this issue. I can be reached at (510) 795-4351 should you wish to discuss this request.

Sincerely,

Charles E. Epstein, CHMM
Remediation Project Manager

CEE/ce

cc: Ms. Madhulla Logan, Alameda County Health Care Services Agency
Mr. George Young, Alameda County Health Officer
Mr. Robert Chambers, Alameda County District Attorney's Office
Ms. Barbara Ransom, Environmental Manager, Cargill

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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

October 25, 1996

ATTN: Mr. Chuck Epstein

F M C Corporation
8787 Enterprise Dr
Newark CA 94560

RE: Project # 4640A - Type M
at 8787 Enterprise Dr in Newark 94560

Dear Property Owner/Designee:

Our records indicate the deposit/refund account for the above project has fallen below the minimum deposit amount. To replenish the account, please submit an additional deposit of \$1,500.00, payable to Alameda County, Environmental Health Services.

We must receive this deposit so that future regulatory oversight on the subject site can proceed in a timely fashion. At the completion of this project, any unused monies will be refunded to you or your designee.

The deposit refund mechanism is authorized in Section 3-140.5 of the Alameda County Ordinance Code. Work on this project will be debited at the Ordinance specified rate, currently \$94 per hour.


Please be sure to write the following on the check to identify your account:

- project #,
- type of project and
- site address

(see RE: line above).

If you have any questions, please contact ~~Madhulla Logan~~
at (510) 567-6764.

Sincerely,


Tom Peacock, Area Manager
Environmental Protection

c: files/inspector

FMC Corporation

Phosphorus Chemicals Division
8787 Enterprise Drive
Box 344
Newark California 94560
510 793 1230

FMC

August 8, 1996

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

**Mr. Paul M. Smith
Senior Hazardous Materials Specialist
Department of Environmental Health
Alameda County Health Care Services Agency
1131 Harbor Bay Parkway
Alameda, CA 94502-6577**

**Re: Regulatory Oversight Cost Recovery
Magnesia Stockpile Investigation
FMC/Cargill Salt Stockpile**

Dear Mr. Smith:

In response to your request for reimbursement of your agency's EPD staff oversight time spent on the above referenced project, please find the enclosed check for \$2,750.00. This covers the fees to date of \$1,755.00, consisting of 19.5 hours at \$90.00 per hour, and the anticipated additional staff time of 10.61 hours, which amount to an additional \$955.00. FMC understands that any unused portion of the fee will be refunded after project completion.

Please do not hesitate to contact me at (510) 795-4351 if you have any questions.

Sincerely,



**Charles E. Epstein, CHMM
Remediation Project Manager**

**cc: Mr. George Young, Alameda County Health Officer
Ms. Jacqueline Bretschneider, City of Newark Fire Department
Gil Jensen, Alameda County District Attorney's Office
Ms. Barbara Ransom, Environmental Manager, Cargill**

**bcc: DA Lewis, FMC Engineering Services, Fresno
DC Landgraf, Phila.
M Rosegay, PM&S, San Francisco**

FMC Chemical Research & Development
Princeton

REQUEST FOR CHECK

DRAW TO THE ORDER OF ALAMEDA COUNTY ENVIRONMENTAL HEALTH
DEPT.

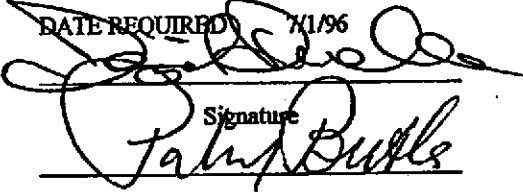
AMOUNT TWO THOUSAND SEVEN HUNDRED FIFTY DOLLARS AND 00
CENTS.

DRAWN FOR REGULATORY OVERSIGHT MAG PILE NEWARK, CA

ADDITIONAL DETAILS: Return check to Pat Butler at Newark, CA, do not
(DO NOT SHOW ON CHECK VOUCHER) send to agency, FES Project No. 351.74

(FOR ACCOUNTING USE ONLY) INVOICE NUMBER: _____ VENDOR NUMBER: _____

ACCOUNT DISTRIBUTION					
Account Number					AMOUNT
****	****	***	****	***	

DATE REQUIRED 7/1/96

Signature
Pat Butler
Approval



FMC Corporation
Chemical Research & Development Center
Princeton, New Jersey 08543

No. 069457

INVOICE NO.	DESCRIPTION	GROSS AMOUNT	DISCOUNT AMOUNT	NET AMOUNT
7-8-96		2,750.00	.00	2,750.00

PLEASE DETACH AND RETAIN THIS STATEMENT AS YOUR RECORD OF PAYMENT.

Thank You

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER



FMC Corporation
Chemical Research & Development Center
Princeton, New Jersey 08543

64-3278
611

No. 069457

PAID ONLY 275000 CENTS

CHECK DATE	CHECK NUMBER	CHECK AMOUNT
09-JUL-96	69457	*****\$2750.00

PAY TO THE ORDER OF

09-JUL-96 TWO THOUSAND SEVEN HUNDRED FIFTY DOLLARS AND 00 CENTS

ALAMEDA COUNTY ENVIRONMENTAL HEALTH



NationsBank of Georgia, N.A.
Atlanta, DeKalb County, Georgia

CHECK VOID AFTER 180 DAYS

THE BACK OF THIS DOCUMENT CONTAINS AN ARTIFICIAL WATERMARK - HOLD AT AN ANGLE TO VIEW

00069457 06112788 011 56 140

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



5+ID 3352
RAFAT A. SHAHID, DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH
1131 Harbor Bay Parkway
Alameda, CA 94502-6577
(510) 567-6777

Certified Mailer # Z 196 176 967

June 18, 1996

Charles Epstein/ Patrick T. Butler
FMC Corporation
8787 Enterprise Drive
Newark, CA 94560

Re: Request of funds for Alameda County regulatory oversight of site investigation of soil and groundwater beneath Magnesia stockpile material on Cargill salt property adjacent to 8787 Enterprise Drive, Newark, CA 94560

Dear Gentleman:

Alameda County Public Health Department, Environmental Protection Division (EPD) has established a deposit refund mechanism to recover costs incurred by departmental staff for regulatory oversight of sites undergoing environmental investigation or cleanup activities. A tally of hours previously spent by EPD staff on this project indicates that 19.5 staff hours were spent on this project from our initial meeting on February 26, 1996 through the Review Panel meeting on May 22, 1996. Alameda County currently charges \$ 90.00 per hour. Fees to date total \$1755.00. It is anticipated that the characterization of soil and groundwater beneath the stockpiled material described above will require additional EPD staff time for regulatory oversight.

You are requested to remit a check made payable for \$ 2750.00 made payable to Alameda County Environmental Health Department. Any unused portion of this amount will be returned to you at the completion of the project. This request is authorized in Section 3-140.5 of the Alameda County Ordinance.

Please contact me at (510) 567-6707 with any questions concerning this matter.

Sincerely,

Paul M. Smith

Paul M. Smith
Senior Hazardous Materials Specialist

c:

Jackie Bretschneider, Newark Fire Department, Hazardous Materials Bureau, 37101
Newark Blvd, Newark, CA 94560-3796

C. Epstein/ P. Butler
June 18, 1996
page 2 of 2

Robert Feather, Department of Toxic Substances Control, Region 2, 700 Heinz Ave.,
Suite 200, Berkeley, CA 94710-2737

Eddie So, San Francisco Regional Water Quality Control Board, 2101 Webster Street, 4th
Floor, Oakland, CA 94612

Steven Inn, Alameda County Water District, P.O. Box 5110, 43885 S. Grimmer Blvd.,
Fremont, CA 94537

Gordon Coleman, EPD Acting Division Chief

Gil Jensen, Alameda County District Attorneys Office, Consumer and Environmental
Affairs Division, 7677 Oakport St., Suite 400, Oakland, CA 94621