

Law Offices of
James J. Cherry
1849 Bonanza Street
Walnut Creek, CA 94596

Telephone
(925) 210-1510

Facsimile
(925) 210-0274

TO :

Eva Chu

FAX NUMBER :

(510) 337-7335

REFERENCE :

DATE :

FROM :

James J. Cherry, Esq.

FAXED PAGES :

7
[Number of Pages, including this Cover Sheet]

ORIGINAL :

___ will ___ will not follow via the U.S. Mail.

If you did not receive all of the pages or find they are illegible,
PLEASE CALL US BACK IMMEDIATELY.

[X]

If this box is checked: The information contained in this facsimile message is legally privileged and confidential information intended only for the use of the individual or entity named above. If the receiver of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this FAX is strictly prohibited. If you have received this FAX in error, please immediately notify us by telephone and return the original message to us at the above address via the U.S. Postal Service. Thank you.

REMARKS:

Per Your Request

OCT-19-95 THU 12:16 PM

P. 08

CUSTOM ALLOY S&S

TEL: 415-893-2012

Ju. 06.95 9:36 No.007 P.01

MacKinnon Environmental Consulting*Specializing in Ground Water and Soil Contamination*2834 San Antonio Drive
Walnut Creek, California 94598
(415) 930-9272

August 31, 1998

Mr. Patrick R. O'Brien
Custom Alloy Scrap Sales, Inc.
2738 Peralta Street
Oakland, CA 94607

Dear Mr. O'Brien:

RE: SOIL SAMPLE RESULTS, LEASED YARD ON POPLAR STREET

MacKinnon Environmental Consulting collected soil samples in the warehouse yard on Poplar and 28th Street on August 17, 1998. The purpose of these samples is to provide Custom Alloy Scrap Sales (CASS), Inc. background data prior to purchasing the property. CASS is currently leasing the site but has begun remodeling and upgrading operations. The property was previously used by a machine press company.

SAMPLING

Most of the site is covered by concrete. Because of this you requested that the soil samples be collected in three areas where the concrete was absent or had been broken:

1. a trench where pipeline was being laid
2. a small (approximately 2 by 4 foot) open area and
3. soils from an excavated area near the east wall

A sketch is enclosed to show the locations of the soil samples. Samples (#YB4, 85, and 86) from the trenched area were hand augered to a depth 3 to 3.5 feet below grade. Sample number 2-BIN was collected by digging to a depth of approximately 2-feet in the center of the soil pile (from the excavated area near the east wall) and then pounding a brass tube into the soil with a mallet. From the open area was dug with a shovel to a depth of less than two feet below grade and a brass tube was pushed into the soil. The soil at this location

The appearance of water was unusual because the water table lies at a depth of ten feet in several wells on the block across the street. The water is apparently ponding on top of a natural or man-made subsurface structure to form a localized "perched" water.

The surface soil in the trench was a black to dark brown silty clay containing peat and other organic material. At approximately three feet below grade a greenish silty clay underlies the black clay.

The soil samples were collected in brass tubes, placed on ice in a cooler and transported to a state licensed laboratory for analyses. Chain-of-custody documentation accompanied the samples.

A 02548

OCT-19-95 THU 12:17 PM

P. 09

CUSTOM ALLOY S&S

TEL: 415-893-2012

Jul. 06, 95 9:36 No. 007 P. 02

RESULTS OF ANALYSES

The samples were analyzed for total petroleum hydrocarbons (TPH) by modified EPA method 8015 using gas chromatography. Samples 2-BIN and 83 were also analyzed for oil and grease. These analyses were selected to cover manufacturing or cutting oils that may have been used on the premises before CASS began their lease. The laboratory report is attached and results are summarized below:

Sample No.	Oil & Grease	TPH (light wt. range)	(heavy to mid-range)
stack pile soil → 2-BIN	4888	58	2688
83-Y	328	ND	78
84-Y	NA	ND	ND
85-Y	ND	ND	158
86-Y	NA	ND	ND

Results are expressed in milligrams/kilogram (mg/kg). Mg/kg is equivalent to parts per million (ppm).

ND= not detected

NA= not analyzed

The table above indicates several samples with contamination of concern i.e. over 188 ppm. The highest levels, in excess of 1888 ppm, for both oil/grease and TPH are from sample #2-BIN. The results for lighter hydrocarbons (in the gasoline range) were all ND except for #2-BIN which contained 58 ppm. Y83 was high in oil/grease and also contained TPH. Y85 was high in TPH.

The laboratory chemist states that the mid- to heavy TPH compounds found are in the "diesel range", but this does not imply that diesel is present. Paraffins, commonly associated with diesel were not found. The chromatograph indicates a compound heavier than diesel which falls under the generic "waste oil" category and could be manufacturing or cutting oils. To further define the compound a fresh sample would have to be analyzed versus a specific oil "standard", however this is expensive and requires a special laboratory.

CONCLUSIONS/RECOMMENDATIONS

Contamination was found in three of the five samples analyzed. Sample results (2-BIN) from the excavated area indicates this soil pile needs to be handled as hazardous waste and requires remediation. Further sampling is recommended in this area - and in all areas where contamination exceeds 188 ppm - in order to define the extent of contamination. Legally, further investigation and remediation are probably the responsibility of the property owner who should be notified of the problem. There is also an obligation to notify the local regulatory agency.

-3-

This report provides an assessment of the potential problems noted and represents a professional opinion. All reports and recommendations are based upon conditions and information made available to MacKinnon Environmental to date. Responsibility is not assumed in cases where the client or other parties involved have failed to disclose known environmental information. No liability is assumed for the control or correction of conditions or practices existing at the premises of the client. Data available from future subsurface exploration may modify the conclusions and recommendations of this report.

We trust this report meets your needs. Please call our office should you have any questions.

Sincerely,

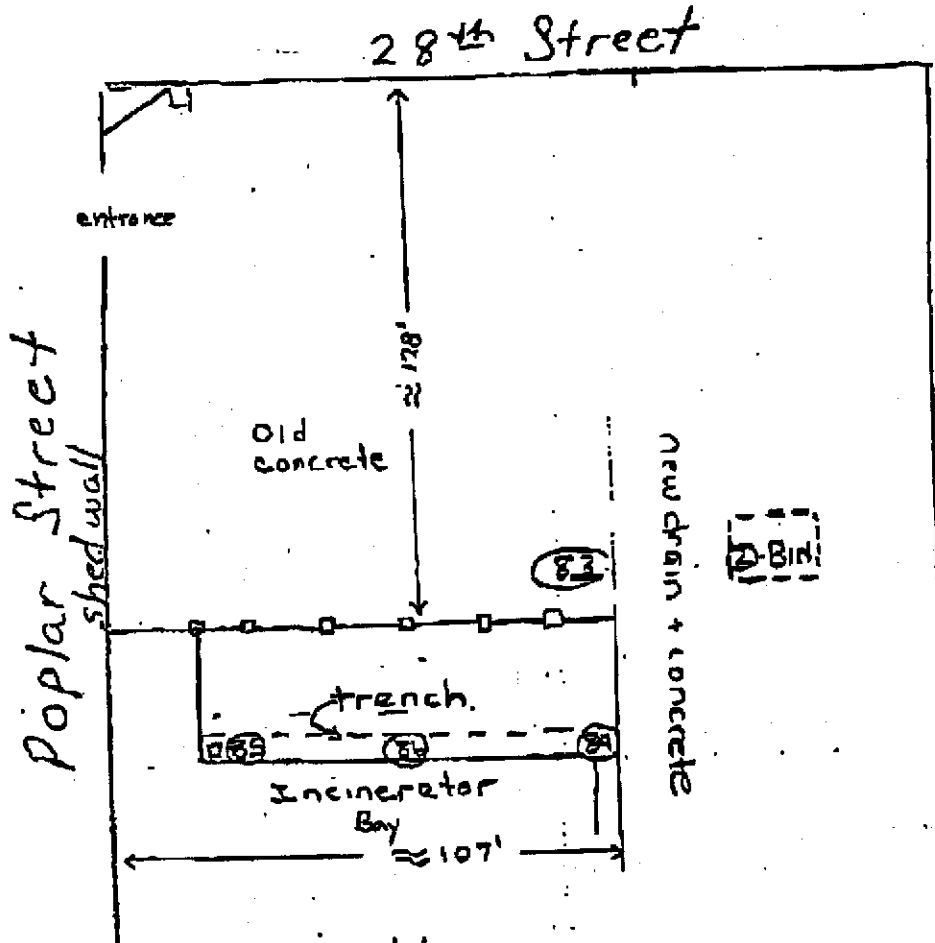


Cinda Crabbe MacKinnon, R.G.

Project name CASS

Plot Line C-890

Site B-82-90



□ = support beams
 ⊙ = sample location

approximate scale = 40' per inch

SUPERIOR ANALYTICAL LABORATORIES, INC.

825 ARNOLD, STE. 114 - MARTINEZ, CALIFORNIA 94553 - (415) 229-1512

DOHS #319
DOHS #220

C E R T I F I C A T E O F A N A L Y S I S

LABORATORY NO.: 81405
CLIENT: Mackinnon Environmental
CLIENT JOB NO.: CASSOAK 0890

DATE RECEIVED: 08/20/90
DATE REPORTED: 08/24/90

ANALYSIS FOR TOTAL PETROLEUM HYDROCARBONS by Modified EPA SW-846 Method 8015

LAB #	Sample Identification	Concentration (mg/Kg)	
		Gasoline Range	Diesel Range
2	Z-BIN	50	2600*
3	Y83	ND<10	70*
4	Y84	ND<10	ND<10
5	Y85	ND<10	150*
6	Y86	ND<10	ND<10

mg/kg - parts per million (ppm)

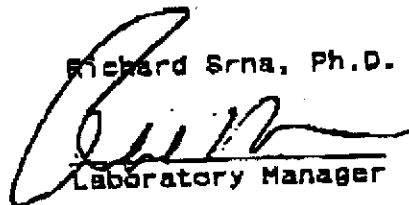
* Typical Diesel chromatographic pattern not present

Method Detection Limit for Gasoline and Diesel in Soil: 10 mg/Kg

QAQC Summary:

Daily Standard run at 200mg/L: RPD Gasoline = 12
RPD Diesel = 11
MS/MSD Average Recovery = 112%: Duplicate RPD = 12

Richard Srna, Ph.D.


Laboratory Manager

SUPERIOR ANALYTICAL LABORATORIES, INC.

825 ARNOLD, STE. 114 - MARTINEZ, CALIFORNIA 94553 - (415) 229-1512

DOHS #319
DOHS #220

C E R T I F I C A T E O F A N A L Y S I S

LABORATORY NO.: 81405
CLIENT: Mackinnon Environmental
CLIENT JOB NO.: CASSOAK C890

DATE RECEIVED: 08/20/98
DATE REPORTED: 08/24/90

ANALYSIS FOR TOTAL OIL AND GREASE by Method 503E

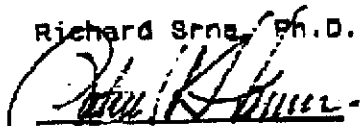
LAB #	sample Identification	Concentration (mg/Kg) Oil & Grease
2	2-BIN	4000
3	Y83	320
5	Y85	ND<20

mg/kg - parts per million (ppm)

Method Detection Limit for Oil and Grease in Soil: 20mg/Kg

QAQC Summary: Duplicate RPD : 0

Richard Srna, Ph.D.


Laboratory Manager

A 02553

OUTSTANDING QUALITY AND SERVICE