1396 – 5th STREET, LLC
A California Limited Liability Company
1357 5th Street – Suite B
Oakland, Calif. 94607

January 23, 2007

Mr. Barney M. Chan
Hazardous Materials Specialist
Alameda County Health Care Services Agency
Environmental Health Services
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

Subject: 1396- 5th Street, Oakland, Calif.
Environmental Closure
Submission to Alameda County

Dear Mr. Chan:

I declare, under penalty of perjury, that the information and/or recommendations contained in the attached document are true and correct to the best of my knowledge.

Very truly yours,

1396-5th Street, LLC
A. C. Eisenberger
It's President

Attachment

Treadwell&Rollo

23 January 2007
Project 4068.01

Mr. Barney M. Chan
Hazardous Materials Specialist
Alameda County Health Care Services Agency
Environmental Health Services
1131 Harbor Bay Parkway, Suite 250
Alameda, California 94502-6577

Subject: Red Star Yeast Project
1396 Fifth Street
Oakland, California

Dear Mr. Chan:

On behalf of 1396 Fifth Street Associates, the following is in response to your letter dated 29 December 2006, in which you requested additional information prior to development of the proposed Former Red Star Yeast project at 1396 Fifth Street (Site) in Oakland, California (Figure 1).

EXISTING CONDITIONS

The Site is north of Fifth Street between Cypress Street (Mandela Parkway) and Kirkham Street as shown on Figure 2. It is trapezoidal in shape and encompasses approximately 0.9 acres. The site is currently vacant, surrounded by a fence and is essentially level. It was once occupied by the Red Star Yeast Company, but all buildings and appurtenant structures have been removed.

The Site is blanketed by heterogeneous fill extending to depths that generally range from 2.5 to 4 feet bgs. The fill is composed of medium dense sand with varying amounts of clay, brick, concrete and gravel. At the western portion of the Site, the fill is underlain by loose, clean sand to a depth of 13 feet bgs. The sand is underlain by a marsh deposit at the central portion of the Site, between depths of 13 and 24 feet bgs. In the central portion of the Site, the marsh deposit extends from the bottom of the fill (depth of about 4.5 feet) to a depth of about 14 feet and is underlain by medium dense sand which grades to dense and very dense sand at 25 feet deep. The eastern limit of the Site is underlain by medium dense sand, grading to dense from 8 to 17 feet deep.

Groundwater was encountered in borings during drilling at depths ranging from 3.5 to 8 feet bgs. The groundwater flow direction is likely southwest towards the Oakland Estuary and San Francisco Bay.

Treadwell & Rollo, Inc. *Environmental & Geotechnical Consultants*
555 Montgomery Street, Suite 1300, San Francisco, CA 94111
Telephone (415) 955-9040 Facsimile (415) 955-9041

PROJECT DESCRIPTION

Plans are to construct two buildings consisting of four-stories of residential units above a podium parking garage that will occupy the entire site. The residential levels and the podium will be reinforced concrete. The ground floor slab will be close to existing site grades.

The proposed construction activities will disturb soil during Site grading, the construction of new foundation systems, elevator pits, and utility lines. During construction activities, dust control measures will be implemented to reduce potential exposure. These measures may include moisture-conditioning the soil, using dust suppressants, covering the exposed soil and stockpiles with weighed down plastic sheeting to prevent exposure of the soil, or by capping the on-Site soil with buildings, asphalt, or at least two feet of clean imported fill.

The Site's HASP (prepared by others) will contain additional dust monitoring, action levels, dust control measures, and work stoppage provisions that will be followed during construction activities.

BACKGROUND

The Site was previously occupied by Consumer's Yeast and Vinegar Works on the western portion of the Site and the Washington Brewery on the eastern portion prior to 1902. The brewery had expanded by 1951 and was named Goebel Brewing Company. In a 1965 Sanborn Map, the brewery was demolished and in 1966, the Red Star Yeast property was sold to Universal Food Corporation. The 1967 Sanborn Map shows the Yeast Plant expanding and occupying the entire Site. In 2003, Lasaffre Yeast Corporation purchased the Yeast operation and discontinued operations as of 1 April 2003 and demolished and removed all the former structures in 2004.

On 20 August 2004, Remediation Services Inc performed a subsurface investigation to collect soil and groundwater samples at the Site (Figure 2). A total of four exploratory borings (SB-1 through SB-4) were drilled to depths of approximately 20 feet and four soil and two groundwater samples were collected and analyzed for total petroleum hydrocarbons as diesel (TPHd), total petroleum hydrocarbons as gasoline (TPHg), volatile organic compounds (VOCs), pH, polynuclear aromatic hydrocarbons (PAHs), heavy metals (cadmium, chromium, lead, mercury, nickel, and zinc), and the groundwater samples were also analyzed for total dissolved solids (TDS).

No TPHg, TPHg, or VOC's were detected in the soil and groundwater samples analyzed. The pH ranges from 6.61 to 8.16 Standard Units. Low levels of PAHs fluoranthene and pyrene were detected in one soil sample at concentration of 0.52 milligrams per kilograms (mg/kg) and

0.58 mg/kg, respectively. Elevated total lead and zinc were detected in one soil sample at concentrations of 2,700 mg/kg and 1,700 mg/kg, respectively. The groundwater had elevated TDS and Remediation Services Inc. concluded that it was naturally occurring and due to that the Site was formerly a bay wetland.

On 14 April 2006, Treadwell & Rollo advanced six exploratory borings (E-1 through E-6) to depths of approximately 6.5 feet to 10 feet below the ground surface at locations shown on Figure 2. A total of twelve soil samples indicated no TPHg, MTBE, BTEX, VOCs, or SVOCs were detected at or above method reporting limits in any of the soil samples analyzed. Low levels of TPHd were detected in six soil samples at concentrations ranging from 1.4 mg/kg to 7.8 mg/kg. TPHmo was detected in six samples at concentrations ranging from 6 mg/kg to 43 mg/kg.

In general, the metal concentrations appeared to be within normal[1] background ranges found in the western United States. However, total lead was detected at concentrations ranging from below the method reporting limits of 5 mg/kg to 180 mg/kg. Based on these concentrations, it was necessary to perform additional analyses for lead using the soluble threshold limit concentration (STLC) analysis on all samples that initially detected lead concentrations above 50 mg/kg. STLC lead was detected in 3 of the samples analyzed, at concentrations ranging from 3.4 to 11 milligrams per liter (mg/L), two of which exceed the California hazardous waste classification of 5.0 mg/L. The samples that exceeded the California hazardous waste classification were further analyzed for toxicity characteristic leaching procedure (TCLP) lead, the federal hazardous waste classification criteria. TCLP lead was not detected at or above the method reporting limit. Therefore, none of the soil at the Site is considered a federal hazardous waste.

Of six groundwater samples analyzed, no concentrations of TPHg, MTBE, BTEX, VOCs, or SVOCs were detected at or above method reporting limits in any of the groundwater samples analyzed. Low levels of TPHd were detected in four of the six groundwater samples at concentrations ranging from 54 micrograms per liter (µg/L) to 580 µg/L. TPHmo was detected in three of the six groundwater samples at concentrations ranging from 1,500 µg/L to 2,000 µg/L. The metal concentrations appeared to be within normal background ranges found in the western United States.

On 24 September 2006, one concrete slurry filled, 3,000-gallon diesel underground storage tank was removed under the direction of the City of Oakland Fire Department, Hazardous Materials Management Program. The tank was of single-wall steel construction and measured

---

[1] "U.S.G.S. Professional Paper 1270, Element Concentrations in Soils and Other Surficial Materials of the Conterminous United States," 1984.

approximately 13 feet in length and 6.5 feet in diameter. The tank appeared to be in good condition with no visible evidence of any through-going pitting or containment failures.

Approximately 20 cubic yards of soil was excavated and placed on visqueen. Petroleum hydrocarbon sheen was observed on the groundwater surface within the excavation pit. Approximately 6,300 gallons of groundwater was pumped from the excavation pit and disposed of offsite.

Treadwell & Rollo collected a soil samples from the tank excavation, a sample of the concrete slurry, and groundwater from the excavation. The samples were analyzed for: TPHg, TPHd, BTEX, and MTBE. In addition, the soil and concrete slurry samples were analyzed for total lead

No TPHg, TPHd, BTEX, MTBE, or lead were detected at or above the method reporting limits in the soil sample (ST-1) collected from the tank excavation. In the tank fill material (concrete slurry) sample, TPH-gas was detected at 4.8 mg/kg, TPH-diesel was detected at 710 mg/kg, and xylenes were detected at 0.0098 mg/kg. No other BTEX, MTBE, or total lead was detected at or above method reporting limits.

A low level of TPH-diesel was detected in the groundwater sample at a concentration of 180 µg/L. No TPH-gas, BTEX, or MTBE were detected at or above method reporting limits.

On 14 November 2006, Treadwell & Rollo collected four soil samples and one groundwater sample from the area surrounding the tank excavation (Figure 2). TPHd was detected in the soil samples collected approximately 5 feet east and north of the former excavation area at concentrations of 1.3 and 2.0 mg/kg, respectively. No other constituents were detected at or above method reporting limits from the area surrounding the excavation area or from the excavated soil. TPHg was detected in groundwater at a concentration of 270 µg/L from sample WN10. No other constituents were detected at or above the method reporting limits.

On 30 November 2006, the City of Oakland Fire Department, Hazardous Materials Management Program issued a letter of No Further Action in regards to the former 3,000-gallon diesel underground storage tank.

AREAS OF CONCERN

In your letter dated 29 December 2006, you concurred with the proposed development however you requested additional information prior to issuing final approval of the proposed development. Specifically you requested a Site Plan with the layout of the former storage areas, and additional information regarding the above ground tanks, mercury spill area, transformers, deep well, elevator, and oil stained areas. The Former Red Star facility was closed and

dismantled between the years of 2003 and 2004 and we have attempted retrieve what available information exists through the former owner of the Site and regulatory agencies.

New Oil, Waste Paint, Used Storage Areas, and Above Ground Storage Tanks

We have attached figures in Appendix A that shows the layout of the former facility including the locations of the storage areas and above ground tanks. Based on the information that we have obtained, it appears that the information regarding a 16,000-gallon above ground fuel tank is incorrect and the only above ground fuel tank was the 1,600-gallon tank at the southwest corner of the facility.

Mercury Spill Area

Based on the information that we have located within regulatory files, a mercury spill was discovered at the former facility on 2 August 1996 during a sewer replacement activity. Reportedly, the mercury spill was located at the southeast corner of the former Mash House, near the above ground molasses storage tanks. Based on conversation with the Oakland Fire Department (OFD), they were the regulatory agency providing oversight of the mercury spill incident.

The mercury incident report prepared by Red Star Yeast and Products dated 8 August 1996 is attached in Appendix B. Since we have been unable to locate any soil sampling or analytical results, we requested any information regarding the mercury spill and cleanup from the corporate headquarters of Lesaffre Yeast Corporation in Milwaukee, Wisconsin. When they are received, we will forward a copy to Alameda County Environmental Health (ACEH).

Transformer

Based on records that we have reviewed at ACEH office from Red Star Yeast's hazardous material management plan (HMMP) dated 28 February 1992, the former transformer was located outside along the western side of the former facility. It is noted on the HMMP that the transformer is non-PCB, but at this time we have not been able to locate any analytical results from the transformer.

Gasoline Service Station

Reportedly, the Trucker's Friend service station located at 1395 7th Street has released petroleum hydrocarbons in the soil and groundwater at the site. This facility is north and up- to cross-gradient to the subject Site. In 1995, three groundwater monitoring wells were installed at the site after one of three underground storage tanks failed integrity testing. In August 1996, a 520-gallon waste oil tank was removed from the site and elevated petroleum hydrocarbon

contamination was detected. Approximately 60 cubic yards of petroleum hydrocarbon contaminated was excavated and 16 cubic yards was disposed of at a regulated landfill.

In August 1997, three underground storage tanks were removed and replaced with one 20,000-gallon double-walled tank. Petroleum hydrocarbon contamination was noted in the soil and free phase product on the groundwater. Approximately 800 cubic yards of petroleum hydrocarbon contaminated soil was removed and disposed of off-site at a regulated landfill.

We have requested review of the 1395 7th Street property regulatory records from OFD and ACEH. When they are received, we will forward a copy of our review to ACEH.

If unknown areas of suspected petroleum hydrocarbons or other hazardous materials are discovered during the excavation activities, the following contingency plan will be followed. The impacted area will be excavated, stockpiled on and covered with plastic sheeting, soil samples will be collected and tested for appropriate chemical constituent (petroleum hydrocarbons and metals), and reported to ACEH and City of Oakland. Based on the results of the testing, the soil will be properly disposed.

Deep Well On-Site

Reportedly, the deep groundwater well formerly located at the Site was properly destroyed on 13 February 2004. At this time, we are awaiting a copy of the final report prepared describing the abandonment procedures and the DWR report. A copy of the analytical results of the groundwater sampling performed on the well dated 10 May 2001 is presented in Appendix C. Also included in Appendix C is our request for the final and DWR reports.

Elevator/Hydraulic Equipment

The former elevator was located in the warehouse building along the northern perimeter wall. No information was available regarding the removal of any hydraulic lifts in connection with the former elevator. As outlined in our UST Soil and Groundwater Confirmation Sample Results report dated 15 December 2006, we have contingency procedures in-place if we encounter any hydraulic equipment in connection with the elevator during excavation activities at the Site.

Oil Stained Areas

The areas noted as having oil stains are shown on the Figures within Appendix A. No information was available regarding that these areas were further investigated or if any remediation were performed in these areas. Reportedly, all buildings and equipment at the former facility were located on either concrete foundation system or concrete pads, therefore minimizing the amount of oil to reach the soil beneath. As previously submitted to ACEH, we

have contingency procedures in-place if we encounter any oil stained areas during excavation activities at the Site.

If unknown areas of suspected petroleum hydrocarbons or other hazardous materials are discovered during the excavation activities, the following contingency plan will be followed. The impacted area will be excavated, stockpiled on and covered with plastic sheeting, soil samples will be collected and tested for appropriate chemical constituent (petroleum hydrocarbons and metals), and reported to ACEH and City of Oakland. Based on the results of the testing, the soil will be properly disposed.

Lead Impacted Areas

As outlined in our UST Soil and Groundwater Confirmation Sample Results report dated 15 December 2006, mitigation measures including soil management procedures are described. The report included soil management and health and safety procedures that will be followed during all excavation activities at the Site. The elevated lead impacted areas with be excavated and disposed off-site.

Asbestos and Lead Based Paint

All the former facility structures have been removed from the Site, therefore no asbestos and/or lead based paint corrective measure need to be put in place prior to construction.

We trust this letter provides the information that you require. If you have any questions or require any additional information, please call Peter J. Cusack at 415-955-9040 ext. 244.

Sincerely yours,
TREADWELL & ROLLO, INC.

Peter J. Cusack, REA
Senior Associate

Michael A. Chamberlain, PG
Senior Project Geologist

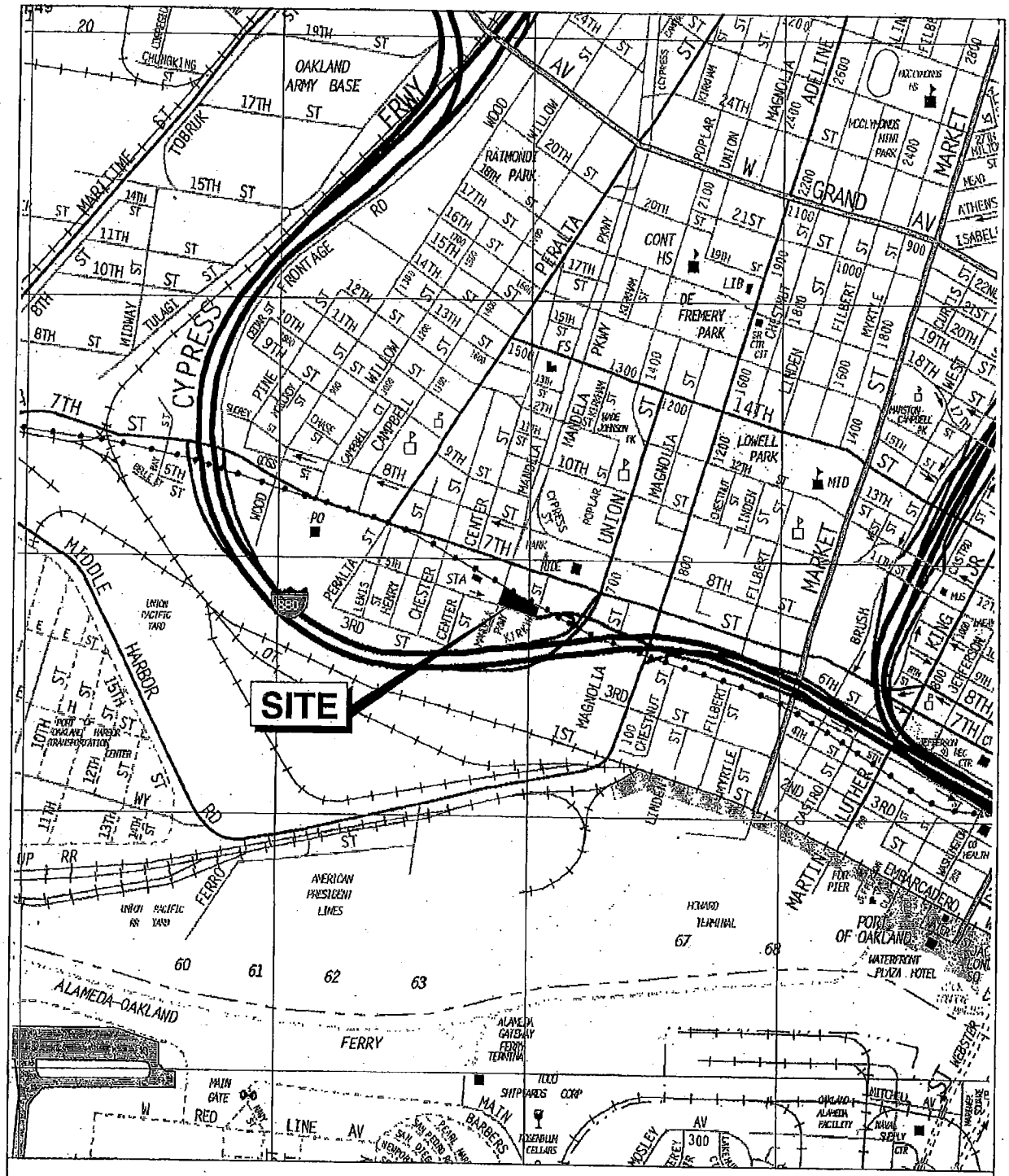
PROFESSIONAL GEOLOGIST
MICHAEL A. CHAMBERLAIN
NO. 7710
STATE OF CALIFORNIA

40680108.PJC

CC: Mr. Curtis Eisenberger - 1396 Fifth Street Associates

Attachments: Figures
Appendices

FIGURES



Base map: The Thomas Guide
Alameda County
1999

0 1/4 1/2 Mile

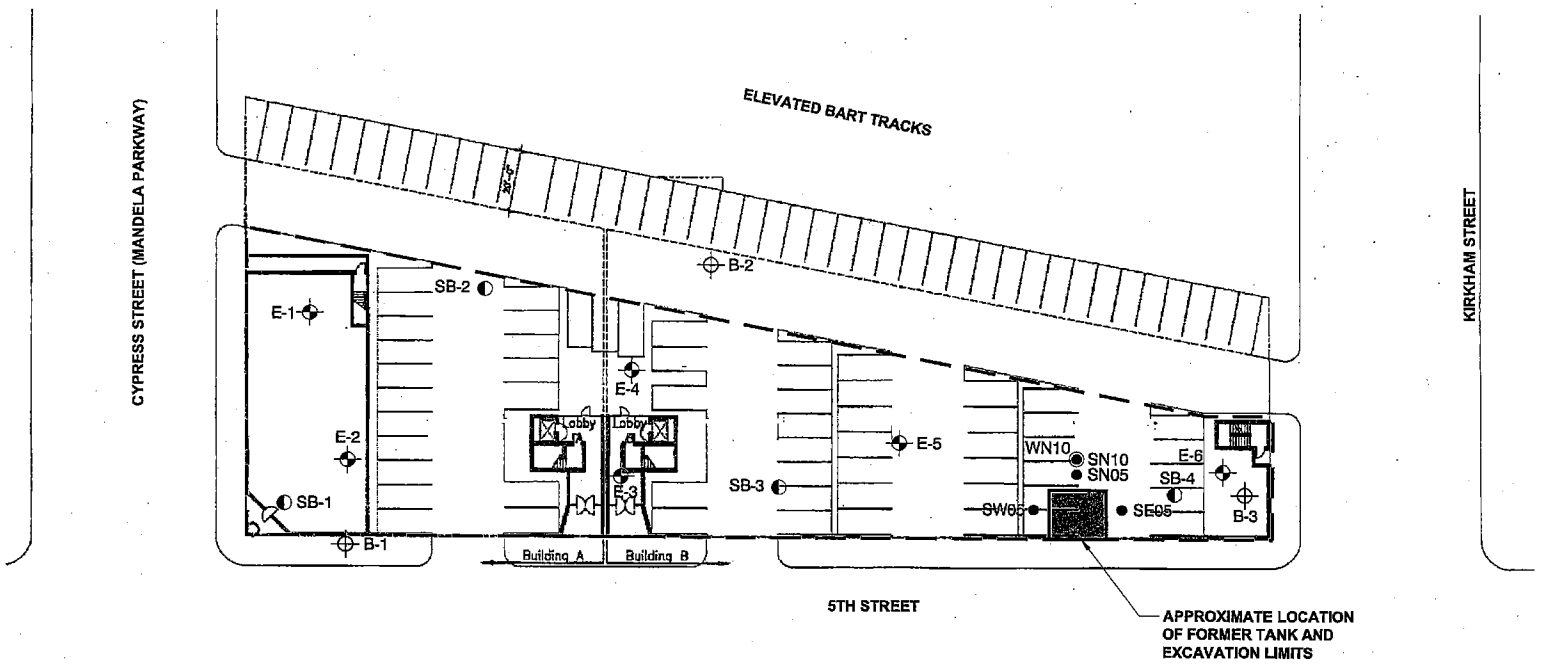
Approximate scale

RED STAR YEAST SITE
Oakland, California

SITE LOCATION MAP

Treadwell&Rollo

Date 02/22/05	Project No. 4068.01	Figure 1



EXPLANATION

- E-1 ⊕ — Approximate location of boring by Treadwell & Rollo, Inc., April 2006
- B-1 ⊕ — Approximate location of boring by Treadwell & Rollo, Inc.
- SB-1 ◐ — Approximate location of boring by Remediation Services, Inc., August 2004
- SN05 ● — Grab soil sample location
- WN10 ◉ — Grab groundwater sample location

Note: Soil samples collected 5 feet below ground surface, groundwater sample collected 6 feet below ground surface.

N

0 20 40 Feet

Approximate scale

Reference: Ground Floor Plan - Option A by Philip Banta & Associates Architects, dated 11/03/04.

RED STAR YEAST SITE
Oakland, California

SITE PLAN

Date 12/13/06	Project No. 4068.01	Figure 2

Treadwell&Rollo

R:\Trgraphics\4000's\4068.01\4068.01 SITE PLAN-Dec 2006.dwg 12/13/06

APPENDIX A

Figures

CONFIDENTIAL

Site Maps

REMOVED

CONFIDENTIAL

Site Maps

REMOVED

CONFIDENTIAL

Site Maps

REMOVED

CONFIDENTIAL

Site Maps

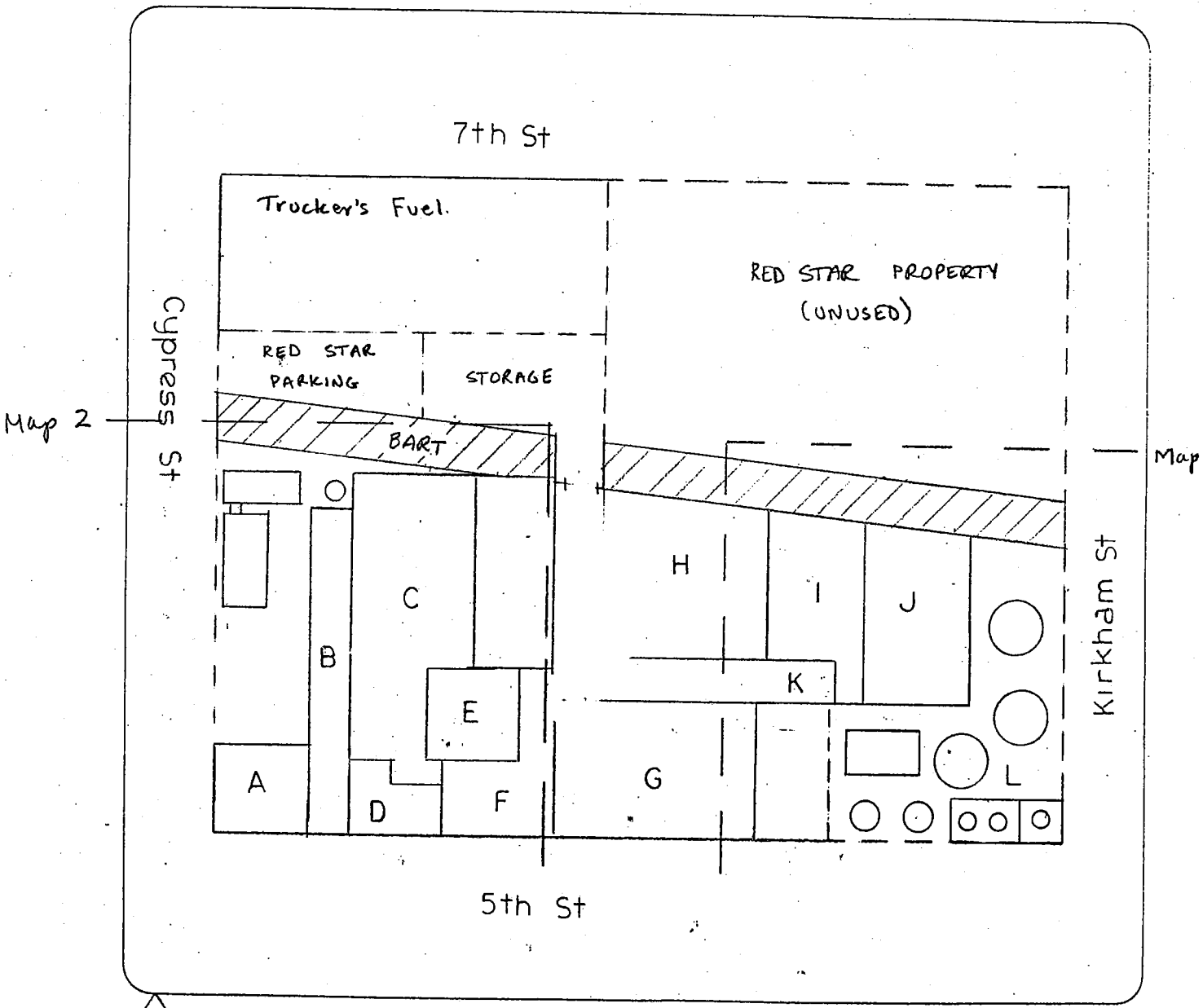
REMOVED

Alameda County Department of Environmental Health

HAZARDOUS MATERIALS MANAGEMENT PLAN
Facility Map - Site Plan

5-31-94

Facility Name RED STAR YEAST Facility ID 3889



N

Scale 60 feet/inch Map # 4 Map Name SITE PLAN

Today's Date 2/28/92

Loc
A- WORT ROOM
B- BLOWER ROOM
C- FERMENTER FLOOR
D- SEPARATER ROOM
E- PRESS ROOM
F- CUTTING ROOM
G- COOLER
H- WAREHOUSE
I- BOILER ROOM
J- MASH HOUSE
K- CHEMICAL/PRODUCT DOCK
L- TANK FARM

Treadwell&Rollo

APPENDIX B

Mercury Spill Incident Report

6/18/96 1:26 PM

EMERGENCY RELEASE FOLLOW-UP NOTICE REPORTING FORM

A

BUSINESS NAME: RED STAR YEAST/Universal Foods

FACILITY EMERGENCY CONTACT & PHONE NUMBER: James Reed (510) 272-9033

B

INCIDENT MO DAY YR — DATE: 8/2/96

TIME OES NOTIFIED: 1400 (use 24 hr time)

OES CONTROL NO: 014941

C

INCIDENT: 1584 Fifth Street

CITY/COMMUNITY: Oakland

COUNTY: Alameda

ZIP: 94607

D

CHEMICAL OR TRADE NAME (print or type): Mercury (elemental liquid)

CAS Number: 7439-97-6

CHECK IF CHEMICAL IS LISTED IN 40 CFR 355, APPENDIX A: ☐

CHECK IF RELEASE REQUIRES NOTIFICATION UNDER 42 U.S.C. §9603(a): ☒

PHYSICAL STATE CONTAINED: ☐ SOLID ☒ LIQUID ☐ GAS

PHYSICAL STATE RELEASED: ☐ SOLID ☒ LIQUID ☒ GAS

QUANTITY RELEASED: Maximum 15 pounds

ENVIRONMENTAL CONTAMINATION: ☒ AIR ☐ WATER ☒ GROUND ☐ OTHER

TIME OF RELEASE: unknown

DURATION OF RELEASE: unknown

_____ DAYS _____ HOURS _____ MINUTES

E

ACTIONS TAKEN: See attached 8/8/96 letter

F

KNOWN OR ANTICIPATED HEALTH EFFECTS (Use the comments section for additional information)

☐ ACUTE OR IMMEDIATE (explain) See attached 8/8/96 letter

☐ CHRONIC OR DELAYED (explain)

☐ NOT KNOWN (explain)

G

ADVICE REGARDING MEDICAL ATTENTION NECESSARY FOR EXPOSED INDIVIDUALS

See attached 8/8/96 letter

H

COMMENTS INDICATE SECTION (A-G) AND ITEM WITH COMMENTS OR ADDITIONAL INFORMATION

See attached 8/8/96 letter

I

CERTIFICATION: I hereby certify under penalty of law that I have personally examined and I am familiar with the information submitted and believe the submitted information is true, accurate, and complete.

REPORTING FACILITY REPRESENTATIVE (print or type): James Reed, Plant Manager

SIGNATURE OF REPORTING FACILITY REPRESENTATIVE: James Reed DATE: ~~8/21/96~~ 8/14/96

RED STAR®

CERTIFIED MAIL
Return Receipt Requested

August 8, 1996

CA Office of Emergency Services
2800 Meadowview Road
Sacramento, CA 95832

CA Office of Emergency Services
Region II
Vincent Montane
360 Civic Drive, Suite 1
Pleasant Hill, CA 94523-1901

Oakland Fire Department
Office of Emergency Services
Hazardous Materials Management Program
1605 Martin Luther King Jr. Drive
Oakland, CA 94612

Oakland Police Department
Environmental Crimes Unit
Criminal Investigation Division
455 Seventh Street
Oakland, CA 94607

Bay Area Air Quality Management District
939 Ellis Street
San Francisco, CA 94109
ATTN: Michael Bostick

East Bay Municipal Utility District
P.O. Box 24055
Oakland, CA 94623-1055
ATTN: Florencio Gonzalez

U.S. Environmental Protection Agency
Region IX
215 Fremont Street
San Francisco, CA 94105
ATTN: EPCRA Section 304 Notices

CA Department of Toxic Substances
Region 2
700 Heinz Avenue, Bldg F, 2nd Floor
Berkeley, CA 94710
ATTN: Ms. Nina Antonio

RE: Mercury release discovered on August 2, 1996

Dear Sirs:

As required by various federal, state, and local regulations, Red Star Yeast & Products, a division of the Universal Foods Corporation, herewith submits a written follow-up notice to the mercury release discovery of August 2, 1996.

This incident was reported by telephone by Mr. Nick Bontempo, Red Star's plant engineer, as follows:

Oakland Fire Department	August 2, 1:50PM A. Forintaine
East Bay Municipal Utility District	August 2, 1:53PM S. Baker August 2, 1:54PM F. Gonzalez
California Office of Emergency Services	August 2, 2:00PM Spill #014941 B. Green
National Response Center	August 2, 2:09PM Report #354631 Mr. Bright
Bay Area Air Quality Management District	August 2, 3:30PM Joy

After the telephone notifications, the following personnel arrived to inspect the situation:

Oakland Fire Department	Mr. Britt Johnson
Oakland Police Department	Sgt. Kenneth Parris
Bay Area Air Quality Management District	Mr. Michael Bostick

In addition to these notifications, Mr. Alan Bahl, Red Star's environmental engineer, contacted Ms. Nina Antonio of the CA Department of Toxics Substances Control - Berkeley Office on August 5, 1996 to inform her of the situation.

The following is the written information required by the Emergency Planning and Community Right-To-Know Act of 1986, Section 304(b)(2):

(A) The chemical involved is elemental mercury, CAS no. 7439-97-6. The majority of the mercury was released to the soil. A small amount of mercury may also have been released as a vapor.

(B) Mercury is not listed as an Extremely Hazardous Substance in the Appendices to 40 CFR Part 355. The Reportable Quantity established for mercury in Table 302.4 of 40 CFR Part 302 is 1 pound.

(C) The exact amount of the mercury that was released is unknown. The maximum estimate is approximately 500 ml or 15 pounds.

(D) The time and duration of the release are unknown. None of the management personnel at the facility are aware of any mercury releases within the past 8 years. The release could potentially have happened as long ago as 1920.

The mercury release was discovered at approximately 1:30PM on August 2, 1996.

(E) The mercury was released to the soil beneath Red Star's facility. There may have been mercury vapor releases to the atmosphere. These releases will continue to occur throughout the clean-up process. At this time, these are the only media to which Red Star knows that the mercury would have been released. Though considered unlikely, the remediation will determine if the mercury has reached deep enough to potentially impact the groundwater.

(F) A Material Safety Data Sheet is enclosed that details the health risks associated with mercury.

(G) As a result of the release Red Star has taken several precautions to protect persons inside the facility from the potential mercury vapors. The excavation area inside the facility was covered with plastic. The dump truck and wheelbarrow which contained soil that potentially contained mercury were also covered with plastic. During the clean-up process, the hazardous materials team will monitor the mercury vapor concentration in the area. If required, the team will wear respiratory protection and prevent un-protected persons from entering the work zone inside the building.

(H) For further information, please contact Alan Bahl, environmental engineer, at (410)631-5876. The local contact for the incident is Mr. James Reed, plant manager, at (510)272-9033.

(I) The circumstances surrounding the discovery are as follows. Red Star hired a plumbing contractor to excavate and repair a deteriorated sewer line in the molasses processing area of the facility. As the contractors were excavating, they discovered the mercury in the soil under the base of the "P-trap" in the sewer line. The contractors immediately notified Mr. Nick Bontempo of the discovery. Mr. Bontempo and Mr. Alan Bahl determined that the discovery was reportable at which point Mr. Bontempo placed the necessary calls. The contractors were instructed to stop their activities and cover all the exposed soil with plastic.

At this point, Red Star contacted Laidlaw Environmental Services. Mr. Brian Eckhoff, Laidlaw's hazardous materials response project manager, arrived at the facility to assess the situation and stabilize it for the weekend. Laidlaw returned on Monday August 5 to begin the process of decontaminating the plumbing contractor's equipment and remediating the soil in the area in which the release occurred. The contaminated soil will be removed from the area of the release and properly disposed by Laidlaw. The soil around the excavation will be sampled and tested for mercury to ensure that the remediation has been satisfactory. The laboratory results of these samples will be forwarded to Ms. Antonio of the Department of Toxic Substances for review before the area is backfilled.

Red Star does not know how the mercury release occurred. Red Star does not process or manufacture mercury. The only uses for the mercury are in tank level gauges, hydrometers, and thermometers. Apparently, mercury had somehow been released to the sanitary sewer drain which was deteriorating due to age. Due to its density, the mercury settled in the lowest point of the system, the "P-trap," which deteriorated along with the rest of the drain line. The mercury was able to exit the drain into the soil.

Please note that in addition to this written report, Red Star will also be submitting the "Nonemergency Hazardous Substance Release Report" to the Department of Toxic Substances as required by Health & Safety Code Section 25359.4.

If you have any questions, please don't hesitate to contact me.

Sincerely,

Alan Bahl

Alan Bahl
Environmental Engineer

Enc.

Treadwell&Rollo

APPENDIX C

Groundwater Analytical Results and Well Completion Report Request

CONFIDENTIAL

ITEMS

REMOVED

CONFIDENTIAL

ITEMS

REMOVED

County of Alameda
Public Works Agency
Water Resources Section
399 Elmhurst Street, Hayward, CA 94544-1395
James Yoo Phone: (510) 670-6633 Fax: (510) 782-1939

FOR GENERAL DRILLING PERMIT INFO.: www.acgov.org/pwa/wells

WELL COMPLETION REPORT REQUEST—OWNER

Use this form to request a copy of the Well Completion Report or records on file with the Alameda County Public Works Agency, Water Resources Section, for a well you own. Describe the well below. California Water Code Section 13752 permits release of Well Completion Reports from DWR files on written request by the well owner. DWR requires the township, range, and section where the well is located to start a search. Attach a map or a sketch with north indicated and as much identifying information listed below as possible. Use additional paper if necessary.

Location of well (city or county) Oakland, CA Year drilled

Street address 1384 5th Street

Distances and directions from cross streets or other landmarks

Township , Range , Section , Quadrant , Use

Owner at time of drilling Lasaffre Yeast Company Driller

Depth of well 400' Diameter and type of casing

Other identifying information, such as assessor's parcel number (on tax statement), subdivision or tract, lot number, well number, well completion report number, driller, date completed, (other)

State Well No. 1S/4W34F4-D ; Owner's Well No. 34F4

I certify that I am the present owner of the well described above.

A.C. Eisenberger, president, 1396 5th Street, LLC
Name (please print)

1357 5th Street, Suite B
Address

Oakland, CA 94607
City, State, and Zip Code

Telephone ( ) 415 519 6652

Fax ( ) 510 430 2544

Date 1/19/07

E-mail

Signature

Complete this part only if you wish a copy sent to someone other than yourself. Please send a copy of this Well Completion Report to:

Peter Cusack, Treadwell & Rollo
Name/Company

555 Montgomery St, Ste 1700
Address

San Francisco, CA 94111
City, State, Zip Code

Telephone (415) 955-9040

Fax (415) 955-9041

Date 1/19/07

E-mail pjcusack@treadwellrollo.com

Owner's Signature Authorizing Release