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

February 28, 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

28 February 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, Treadwell & Rollo, Inc. (T&R) prepared this letter in response to Alameda County Heath Care Services Agency (ACHCSA) letter dated 5 February 2007, which 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 located 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 previously occupied by the Red Star Yeast Company. All buildings and appurtenant structures have been removed.

The Site is blanketed by heterogeneous fill material extending to depths that generally range from 2.5 to 4 feet below the ground surface (bgs). The fill is composed of medium dense sand with varying amounts of clay, brick, concrete and gravel. Within 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 bgs) to a depth of about 14 feet bgs and is underlain by medium dense sand which grades to dense and very dense sand at 25 feet deep. At the eastern limit of the Site, the fill is underlain by medium dense sand, grading to dense from 8 to 17 feet deep.

Groundwater was encountered in borings during drilling in April 2006 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

The current site development includes constructing 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.

AREAS OF CONCERN

In your letter dated 5 February 2007, the ACHCSA concurred with the proposed development however requested additional information prior to issuing final approval of the proposed development. Specifically, you requested:

- information regarding a 2 August 1996 reported mercury spill,
- documentation of the closure of the former site industrial supply well,
- evaluation of the potential soil vapor risk of the up-gradient gasoline station and the oil stained area, and
- logs for soil borings E-1 through E-6.

Mercury Spill Area and Cleanup

Based on information that was reported in a previous Phase I Environmental Site Assessment prepared by Environmental Resources Management, Inc. dated June 2000, 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 conversations with the Oakland Fire Department (OFD), they were the regulatory agency providing oversight of the mercury spill

incident, in a previous report prepared for the site, the Department of Toxics Substances Control (DTSC) was reportedly involved also.

We have reviewed regulatory files at OFD, ACHCSA, and requested files through the Public Records Act Request with DTSC; we have not been able to locate any additional files pertaining to the mercury spill which occurred on 2 August 1996. A copy of the DTSC letter dated 14 February 2007 indicating that they have no files in regards to the Site is presented in Appendix A.

If unknown areas of suspected mercury 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

A 320-foot deep industrial supply water well was historically present at the Site. The deep groundwater well was properly destroyed on 13 February 2004. A copy of the final Well Completion Report prepared by Martell Water Systems, Inc. dated 3 March 2004 is presented in Appendix B.

Gasoline Service Station and Oil Stained Areas

As stated in our report dated 17 May 2006, the Site does not appear to have been affected by the Trucker's Friend service station located to the north of the Site (Figure 2). If petroleum hydrocarbons were migrating through the subsurface from the service station towards the Site, (southwest groundwater flow direction), petroleum hydrocarbon concentrations would most likely be detected in groundwater collected from borings located on the northern boundary of the Site. In August 2004, boring SB-2 was advanced by Remediation Services, Inc. Petroleum hydrocarbons were not detected in the groundwater sample at or above laboratory reporting limits in SB-2. In April 2006, boring E-1 was advanced by T&R. Petroleum hydrocarbons were not detected in the groundwater sample at or above the laboratory reporting limits in E-1. Both borings were located in the northwestern corner of the site, while SB-2 was located directly on the northern boundary on the site. Based on these results, it is unlikely that the service station is affecting the subsurface conditions at the Site.

Petroleum hydrocarbon-affected groundwater was detected in the middle of the Site at concentrations ranging from 320 to 580 µg/L TPHd and 1,500 to 2,000 µg/L TPHmo. These concentrations may be related to the subsurface conditions in the central part of the Site. A marsh deposit extends from the bottom of the fill (depth of about 4.5 feet) to a depth of about 14 feet below the ground surface. No TPHg or volatile organic compounds were detected in the groundwater samples. Very low levels of TPHd and TPHmo were detected in soil at these locations, ranging from 2.6 to 5.6 mg/kg TPHd and 12 to 38 mg/kg TPHmo. No TPHg or VOCs were detected in soil samples from these locations or at elsewhere at the Site. Although TPHd and TPHmo were detected in groundwater, the lack of VOC detections in soil and groundwater indicate that there does not appear to be a potential vapor intrusion risk from VOCs in soil and groundwater.

In addition to the lack of detection of VOCs, potential vapor intrusion from the presence of previously undetected VOCs in the subsurface is considered minimal based on the planned construction of a ventilated podium parking structure at street level. The proposed parking area will encompass the entire Site footprint except for the westernmost portion, which measures approximately 40 feet by 90 feet. The parking area will be constructed with either open walls or with mechanical venting systems commonly associated with parking garages. The open walls will allow for natural and continuous air exchanges through the openings to the outdoor environment. Venting systems are commonly used on closed garages to minimize the accumulation of carbon monoxide from vehicle emissions. If the walls of the parking area are closed, then the venting system will mechanically induce the air exchanges in the parking area. The ventilated parking area will effectively act as a vapor mitigation system for potential soil vapor intrusion from the subsurface to the parking area, thereby precluding vapor instruction into the future residences.

Soil Boring Logs E-1 through E-6

As requested, the soil boring logs for borings E-1 through E-6 are included in Appendix C.

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

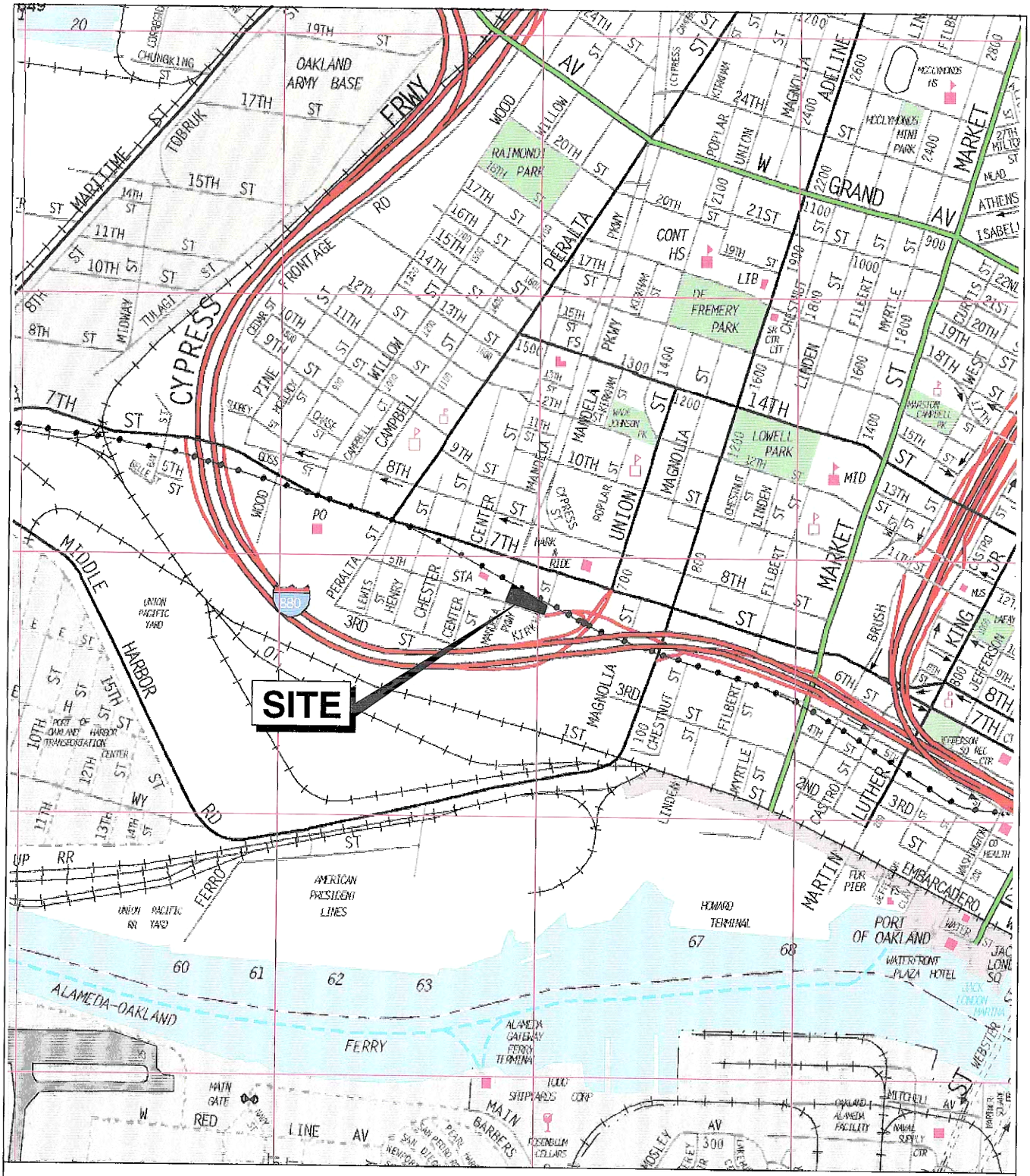
PROFESSIONAL GEOLOGIST
MICHAEL A. CHAMBERLAIN
NO. 7710
STATE OF CALIFORNIA

40680109.PJC

Attachments: Figures
Appendices

cc: Mr. Curtis Eisenberger - 1396 Fifth Street Associates

FIGURES



Base map: The Thomas Guide
Alameda County
1999

0 1/4 1/2 Mile

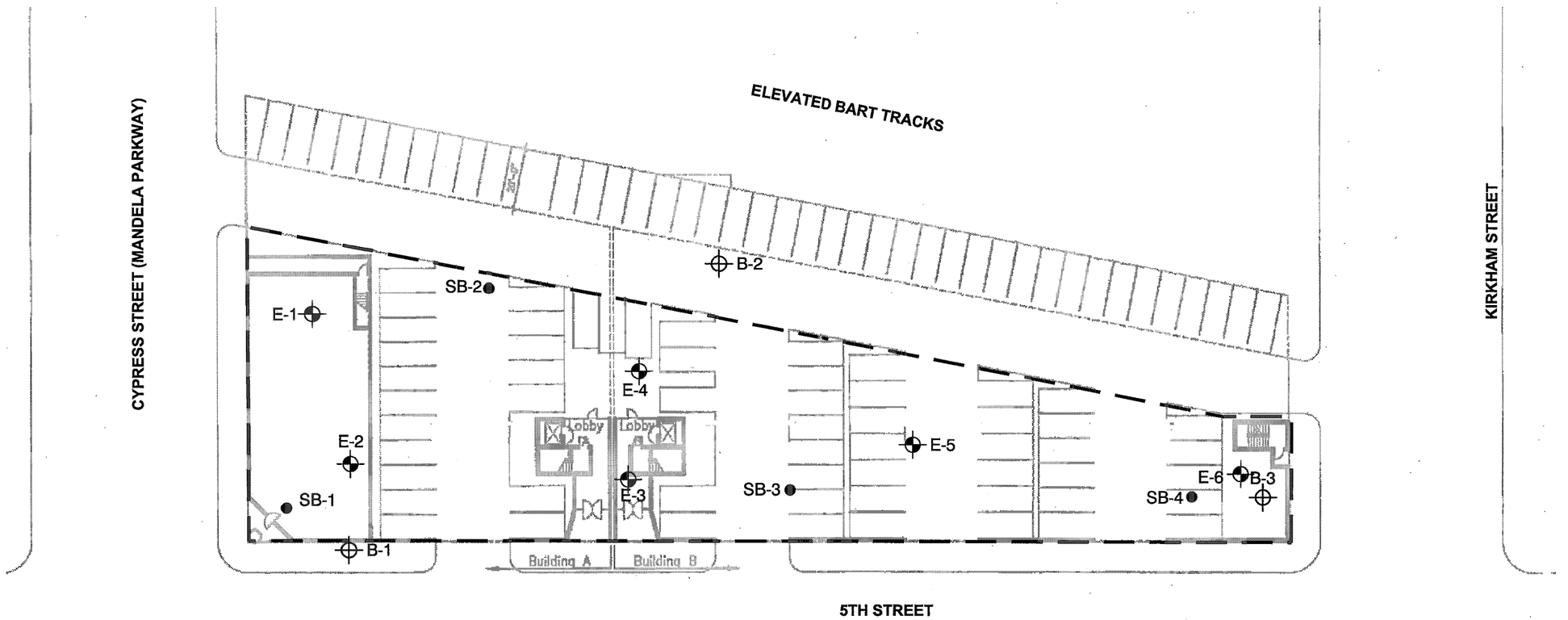
Approximate scale

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

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

N

0 20 40 Feet

Approximate scale

RED STAR YEAST SITE
Oakland, California

SITE PLAN

Date 05/02/06	Project No. 4068.01	Figure 2

Treadwell&Rollo

R:\Trgraphics\4000's\4068.01\4068.01 SITE PLAN_R.dwg 5/18/06

Treadwell&Rollo

APPENDIX A

DTSC Letter dated 14 February 2007

Linda S. Adams
Secretary for
Environmental Protection

Department of Toxic Substances Control

Maureen F. Gorsen, Director
700 Heinz Avenue, Suite 200
Berkeley, California 94710-2721

Arnold
Schwarzenegger
Governor

February 14, 2007

Michael Chendorain
Treadwell & Rollo
555 Montgomery Street
Suite 1300
San Francisco, CA 94111

PUBLIC RECORDS ACT REQUEST DATED: 2/5/07FAX

SUBJECT(S): VARIOUS SITES IN OAKLAND, CA

- **1384 & 1396 5TH STREET**
- **1395 7TH STREET**

PR # 07-02-0076

Dear Michael:

We have received your Public Records Act Request for information from the Department of Toxic Substances Control.

After a thorough review of our files we have found that *no such records exist* at this office pertaining to the site(s) referenced above.

If you have any questions regarding this request, or require information for additional sites, please direct your inquiries to the numbers provided below.

Thanks and regards,

Rowena M. Perez
Regional Records Coordinator
DTSC Berkeley Regional Office
Direct: 510.540.3799
Fax: 510.540.3801
e-mail: rperez1@dtsc.ca.gov

Additional Contact:
Lule Varela
Regional Records Coordinator
Direct: 510.540.3800
Fax: 510.540.3801
e-mail: lvarela@dtsc.ca.gov

Treadwell&Rollo

APPENDIX B

Well Completion Report prepared by Martell Water Systems, Inc. dated 3 March 2004

CONFIDENTIAL

STATE OF CALIFORNIA DWR
WELL COMPLETION REPORT
(WELL LOGS)

REMOVED

ALAMEDA COUNTY PUBLIC WORKS AGENCY

WATER RESOURCES SECTION
399 ELMHURST ST. HAYWARD CA. 94544-1395
PHONE (510) 670-6633 James Yoo
FAX (510) 782-1939
APPLICANTS: PLEASE ATTACH A SITE MAP FOR ALL DRILLING PERMIT APPLICATIONS
DESTRUCTION OF WELLS OVER 45 FEET REQUIRES A SEPARATE PERMIT APPLICATION

DRILLING PERMIT APPLICATION

FOR APPLICANT TO COMPLETE

LOCATION OF PROJECT 1384 5th st. Oakland, CA 94607

CLIENT
Name Lessaffre Yeast Corp.
Address 433 E. Michigan st. Phone 414.615.4086
City Milwaukee Zip 53202

APPLICANT
Name Martell Water Systems, Inc.
Fax 925.432.8149
Address 1818 Loveridge rd. Phone 925.432.4282
City Pittsburg Zip 94565

TYPE OF PROJECT

Well Construction		Geotechnical Investigation	
Cathodic Protection	☐	General	☐
Water Supply	☐	Contamination	☐
Monitoring	☐	Well Destruction	☒

PROPOSED WATER SUPPLY WELL USE

New Domestic	☐	Replacement Domestic	☐
Municipal	☐	Irrigation	☐
Industrial	☐	Other	☐

DRILLING METHOD:
Mud Rotary ☐ Air Rotary ☐ Auger ☐
Cable ☐ Other ☒

DRILLER'S NAME Martell Water Systems, Inc.
DRILLER'S LICENSE NO. 510952

WELL PROJECTS
Drill Hole Diameter ____ in. Maximum
Casing Diameter 12 in. Depth 320' ft.
Surface Seal Depth Unk. ft. Owner's Well Number ____

GEOTECHNICAL PROJECTS
Number of Borings N/A Maximum
Hole Diameter N/A in. Depth N/A ft.

STARTING DATE 1/12/04
COMPLETION DATE 1/17/04

I hereby agree to comply with all requirements of this permit and Alameda County Ordinance No. 73-68.

APPLICANT'S SIGNATURE Lexy Chancellor DATE 12/22/03
PLEASE PRINT NAME Lexy Chancellor

Rev. 9-18-02

FOR OFFICE USE
PERMIT NUMBER W03-1160
WELL NUMBER 1S/4W-34F4D
APN ____

PERMIT CONDITIONS
Circled Permit Requirements Apply

A. GENERAL
1. A permit application should be submitted so as to arrive at the ACPWA office five days prior to proposed starting date.
2. Submit to ACPWA within 60 days after completion of permitted original Department of Water Resources-Well Completion Report.
3. Permit is void if project not begun within 90 days of approval date

B. WATER SUPPLY WELLS
1. Minimum surface seal thickness is two inches of cement grout placed by tremie.
2. Minimum seal depth is 50 feet for municipal and industrial wells or 20 feet for domestic and irrigation wells unless a lesser depth is specially approved.

C. GROUNDWATER MONITORING WELLS INCLUDING PIEZOMETERS
1. Minimum surface seal thickness is two inches of cement grout placed by tremie.
2. Minimum seal depth for monitoring wells is the maximum depth practicable or 20 feet.

D. GEOTECHNICAL
Backfill bore hole by tremie with cement grout or cement grout/sand mixture. Upper two-three feet replaced in kind or with compacted cuttings.

E. CATHODIC
Fill hole anode zone with concrete placed by tremie.

F. WELL DESTRUCTION — See Attached letter —
Send a map of work site. A separate permit is required for wells deeper than 45 feet.

G. SPECIAL CONDITIONS — "Deep well"

NOTE: One application must be submitted for each well or well destruction. Multiple borings on one application are acceptable for geotechnical and contamination investigations.

APPROVED ____ DATE 1-9-04

Treadwell&Rollo

APPENDIX C

Boring Logs for Borings E-1 through E-6

PROJECT:	RED STAR YEAST SITE Oakland, California	**Log of Boring E-1**	PAGE 1 OF 1

Boring location: See Site Plan, Figure 2		Logged by: C. Gordon
Date started: 4/14/06	Date finished: 4/14/06	
Drilling method: Hollow Stem Auger		
Hammer weight/drop: 140 lbs./30-inches	Hammer type: Automatic	
Sampler: California Modified Split Spoon		

DEPTH (feet)	SAMPLES: Sample Number	Sample	Blow Count	Recovery (inches)	OVM (ppm)	LITHOLOGY	MATERIAL DESCRIPTION
1						SP	SAND (SP) brown, loose, moist, no odor, trace gravel FILL
2	E-1-1.5						
3	E-1-2.5						
4						SM	SILTY SAND (SM) dark brown, loose, wet, non-plastic, no odor, trace clay, trace gravel
5	E-1-5.0						▼
6							
7							
8							
9							
10							
11							
12							
13							
14							
15							
16							
17							
18							
19							
20							

Boring terminated at a depth of 10 feet below ground surface.
Boring backfilled with cement grout.
Groundwater encountered at a depth of 5.5 feet below ground surface during drilling.

Treadwell&Rollo

Project No.:	Figure:
4068.01	A-1

TEST ENVIRONMENTAL 406801 ENV.GPJ T&R.GDT 5/16/06

PROJECT: **RED STAR YEAST SITE**
Oakland, California

Log of Boring E-2

Boring location: See Site Plan, Figure 2 | Logged by: C. Gordon

Date started: 4/14/06 | Date finished: 4/14/06

Drilling method: Hollow Stem Auger

Hammer weight/drop: 140 lbs./30-inches | Hammer type: Automatic

Sampler: California Modified Split Spoon

DEPTH (feet)	SAMPLES: Sample Number	SAMPLES: Sample	SAMPLES: Blow Count	SAMPLES: Recovery (inches)	OVM (ppm)	LITHOLOGY	MATERIAL DESCRIPTION
1–2	E-2-1.5					SP	SAND (SP) brown, loose, moist, non-plastic, no odor, trace concrete FILL
2–3	E-2-2.5						
3–4						SM	SILTY SAND (SM) dark brown, loose, wet, non-plastic, no odor, trace gravel
4–5							▼
5–6	E-2-5.0						
6–7							
7–8							
8–9							
9–10							
10–11							
11–12							
12–13							
13–14							
14–15							
15–16							
16–17							
17–18							
18–19							
19–20							

Boring terminated at a depth of 6.5 feet below ground surface.
Boring backfilled with cement grout.
Groundwater encountered at a depth of 4.0 feet below ground surface during drilling.

Treadwell&Rollo

Project No. 4068.01 | Figure: A-2

PROJECT:	RED STAR YEAST SITE Oakland, California	**Log of Boring E-3**	PAGE 1 OF 1

Boring location: See Site Plan, Figure 2		Logged by: C. Gordon
Date started: 4/14/06	Date finished: 4/14/06	
Drilling method: Hollow Stem Auger		
Hammer weight/drop: 140 lbs./30-inches	Hammer type: Automatic	
Sampler: California Modified Split Spoon		

DEPTH (feet)	SAMPLES: Sample Number	SAMPLES: Sample	SAMPLES: Blow Count	SAMPLES: Recovery (inches)	OVM (ppm)	LITHOLOGY	MATERIAL DESCRIPTION
1–2	E-3-1.5					SC	CLAYEY SAND (SC) yellow-brown, moist, no odor, trace gravel and brick FILL
2–3	E-3-2.5						
3–4						GP	▼ GRAVEL (GP) dark brown, loose, wet, no odor
4–5							
5–6	E-3-5.0					SC	CLAYEY SAND (SC) olive-gray, loose, wet, no odor
6–7							
7–8							
8–9							
9–10							
10–11							
11–12							
12–13							
13–14							
14–15							
15–16							
16–17							
17–18							
18–19							
19–20							

Boring terminated at a depth of 6.5 feet below ground surface.
Boring backfilled with cement grout.
Groundwater encountered at a depth of 3.5 feet below ground surface during drilling.

Treadwell&Rollo

Project No.:	Figure:
4068.01	A-3

TEST ENVIRONMENTAL 406801_ENV.GPJ T&R.GDT 5/16/06

PROJECT: **RED STAR YEAST SITE**
Oakland, California

Log of Boring E-4

Boring location: See Site Plan, Figure 2 | Logged by: C. Gordon

Date started: 4/14/06 | Date finished: 4/14/06

Drilling method: Hollow Stem Auger

Hammer weight/drop: 140 lbs./30-inches | Hammer type: Automatic

Sampler: California Modified Split Spoon

DEPTH (feet)	SAMPLES: Sample Number	SAMPLES: Sample	SAMPLES: Blow Count	SAMPLES: Recovery (inches)	OVM (ppm)	LITHOLOGY	MATERIAL DESCRIPTION
1–2	E-4-1.5					SC	CLAYEY SAND (SC) brown, soft, moist, no odor FILL
2–3	E-4-2.5						
3–4						SC	CLAYEY SAND (SC) dark brown, soft, moist, no odor
4–5						SC	CLAYEY SAND (SC) black, very loose, wet, no odor, trace organics
5–6	E-4-5.5						
6–20							

Boring terminated at a depth of 6.5 feet below ground surface.
Boring backfilled with cement grout.
Groundwater encountered at a depth of 4.5 feet below ground surface during drilling.

Treadwell&Rollo

Project No. 4068.01 | Figure: A-4

PROJECT:	RED STAR YEAST SITE Oakland, California	**Log of Boring E-5**	PAGE 1 OF 1
Boring location: See Site Plan, Figure 2			Logged by: C. Gordon
Date started: 4/14/06	Date finished: 4/14/06		
Drilling method: Hollow Stem Auger			
Hammer weight/drop: 140 lbs./30-inches	Hammer type: Automatic		
Sampler: California Modified Split Spoon			

DEPTH (feet)	SAMPLES: Sample Number	SAMPLES: Sample	SAMPLES: Blow Count	SAMPLES: Recovery (inches)	OVM (ppm)	LITHOLOGY	MATERIAL DESCRIPTION
1						SC	CLAYEY SAND (SC) olive-brown, soft, moist, no odor, trace grave plus brick, gravel layer at 2.0 to 2.5' bgs FILL
2	E-5-1.5						
3	E-5-2.5					SC	CLAYEY SAND (SC) dark brown, medium dense, moist, no odor, trace gravel
4							
5	E-5-5.0						
6						SM	SILTY SAND (SM) yellow-brown, medium dense, moist to wet, no odor
7							
8							▼
9							
10							
11							
12							
13							
14							
15							
16							
17							
18							
19							
20							

Boring terminated at a depth of 10 feet below ground surface.
Boring backfilled with cement grout.
Groundwater encountered at a depth of 8.0 feet below ground surface during drilling.

Treadwell&Rollo

Project No.	Figure:
4068.01	A-5

TEST ENVIRONMENTAL 406801 ENV.GPJ T&R.GDT 5/16/06

PROJECT: **RED STAR YEAST SITE**
Oakland, California

Log of Boring E-6

Boring location: See Site Plan, Figure 2 | Logged by: C. Gordon

Date started: 4/14/06 | Date finished: 4/14/06

Drilling method: Hollow Stem Auger

Hammer weight/drop: 140 lbs./30-inches | Hammer type: Automatic

Sampler: California Modified Split Spoon

DEPTH (feet)	SAMPLES: Sample Number	SAMPLES: Sample	SAMPLES: Blow Count	SAMPLES: Recovery (inches)	OVM (ppm)	LITHOLOGY	MATERIAL DESCRIPTION
1–3	E-6-1.5 E-6-2.5					SP	SAND (SP) dark brown, loose, moist, no odor, trace brick debris FILL
4						SC	CLAYEY SAND (SC) yellow-brown, medium dense, moist, no odor, trace gravel
6						SC	CLAYEY SAND (SC) olive-brown, medium dense, wet, no odor, trace gravel ▼
7	E-6-6.5					SC	change to yellow-brown at 7.0' bgs
10–20							

Boring terminated at a depth of 10 feet below ground surface.
Boring backfilled with cement grout.
Groundwater encountered at a depth of 6 feet below ground surface during drilling.

Treadwell&Rollo

Project No.: 4068.01 | Figure: A-6

TEST ENVIRONMENTAL 406801_ENV.GPJ T&R.GDT 5/16/06