



May 19, 2010

Mr. Lee W. Cover
Hanson Aggregates Northern California
12667 Alcosta Blvd, Suite 400
San Ramon, CA 94583

Mr. Steven Dunn
Legacy Partners
4000 East Third Ave, Suite 600
Foster City, CA 94404-4805

RE: Hanson Aggregates Radium Facility, 3000 Busch Road, Pleasanton California 94566
Conditional Work Plan Approval for Area of Concern (AOC) 1

The Livermore-Pleasanton Fire Department has reviewed the Revised Facility Closure Plan (plan), dated January 29, 2010, prepared by LFR Inc. for the above facility. Thank you for submitting this hazardous materials closure plan.

Although Hanson Aggregates and Legacy Partners has each indicted that it is not responsible for the Fire Code closure requirements for Area of Concern (AOC) 2, AOC 3, and the area east of AOC 3, even though all of these areas require compliance with the Fire Code for closure, Hanson Aggregates has indicated that it wishes to proceed with the Fire Code closure requirements for AOC 1.

In the interest of expediting the closure process for AOC 1, LPFD is providing conditional approval for closure activities to proceed solely for AOC 1. For this reason, this letter only addresses sections, comments and responses relating to the closure for AOC 1.

Conditional approval for closure activities related to AOC 1 does not relieve Hanson Aggregates or Legacy Partners of each party's respective responsibilities to properly perform the Fire Code closure requirements for AOC 2, AOC 3, and the area east of AOC 3.

Responses to comments and related Conditions of Approval for AOC 1:

1. **(LPFD comment from letter of 9/25/09)** In Section 4.1, 4.2, and 4.3, you state that containers, containment structures and contents will be field tested (liquid and sludge) for polychlorinated biphenyls (PCBs) and chlorinated volatile organic compounds (VOC's). What specific laboratory analytical methods will be used to confirm the field testing results? **LFR's Response, dated 1/29/10:** Acceptable to LPFD.

3560 Nevada Street, Pleasanton, CA 94566

Administration & Suppression
(925) 454-2361
Fax 249-2397

Fire Prevention Bureau
(925) 454-2361
Fax 454-2367

2. **(LPFD comment from letter of 9/25/09)** What is the current proposed land use for each of the areas of concern? This will determine the required below grade cleanup levels, sample locations, and analytical methods to be used at the site. To a large extent, Livermore-Pleasanton Fire Department (LPFD) will defer to Alameda County Health Care Services for this part of the closure process. **LFR's Response, dated 1/29/10:** Acceptable to LPFD.
3. **LPFD letter, dated 9/25/09, Comment #3:** Not part of AOC 1 closure.
4. **LPFD letter, dated 9/25/09, Comment #4:** Not part of AOC 1 closure.
5. **LPFD letter, dated 9/25/09, Comment #5:** Since the underground conveyer culvert discussed in Section 4.8 has not been removed (currently blocked at the entrances); this underground structure needs to be clearly located at the site. Please provide a site map that includes distances from known points of reference to this structure. In addition, ensure hazard signage is in-place. Current and future owners must be notified. **LFR's Response, dated 1/29/10:** LFR's response is generally acceptable, with the following conditions of approval:
 - Ensure all parties working on the site are aware of this underground culvert, its location, and potential hazards associated with it.
 - Include any potential hazards along with the related protective measures that shall be implemented at the site in all safety plans and presentations.
 - Ensure hazard signage is conspicuous, and is well secured.
 - Ensure full disclosure to all future owners is made.
6. **LPFD letter, dated 9/25/09, Comment #6:** Not part of AOC 1 closure.
7. **LPFD letter, dated 9/25/09, Comment #7:** Not part of AOC 1 closure.

Additional Conditions of Approval for AOC 1:

1. LPFD shall be provided with 3 working days notice for inspection and sampling activity related to this closure.
2. Within 30 days of completing closure activities, a closure report shall be submitted to LPFD summarizing activities conducted. It must include, but not be limited to sampling locations and results, site maps, and disposal documentation including, the signed TSDF copies of the manifests.
3. All of the comments and conditions stated in Alameda County Environmental Health Conditional Work Plan Approval dated April 4, 2010 must be implemented.

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Circumstances and conditions may arise that could trigger additional closure requirements. If additional requirements are necessary, LPFD will endeavor to notify you of these as soon as possible.

Per our previous conversations, our plan review and inspection time for hazardous materials facility closure is billed at \$127.00/hour. You will receive a bill for the time incurred to-date.

Please continue to submit Facility Closure documentation for the Hanson Aggregates Radium Facility to both LPFD and Alameda County Health Care Services.

If you have any questions, I can be reached directly at (925) 454-2337.

Sincerely,

A handwritten signature in black ink, appearing to read 'John Rigter', with a large, sweeping flourish extending to the right.

John Rigter
Hazardous Materials Inspector
Livermore Pleasanton Fire Department

Cc: Jonathan P. Lowell, City Attorney, City of Pleasanton (Sent via E-mail to JLowell@ci.pleasanton.ca.us)

Jerry Wickham, Alameda County Health Care Services (Sent via E-mail to jerry.wickham@acgov.org)

Bridget Metz, Legacy Partners (Sent via E-mail to BMETZ@legacypartners.com)