# ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY



ALEX BRISCOE, Acting Director

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

December 9, 2009

Mr. John Weber ICONCO P.O. Box 304 Diablo, CA 94528-304

Subject: SLIC Case No. RO0002995 and Geotracker Global ID T10000000883, 4600-4700 Coliseum Way, Oakland, CA 94601 – Case Closure

Dear Mr. Weber:

This letter confirms the completion of site investigation and remedial actions for the soil and groundwater investigation at the above referenced site. We are also transmitting the enclosed case closure summary. These documents confirm the completion of the investigation and cleanup of the reported releases at the subject site with the provision that the information provided to this agency was accurate and representative of existing conditions. The subject Spills, Leaks, Investigation, and Cleanup (SLIC) case is closed. This case closure letter and the case closure summary can also be viewed on the State Water Resources Control Board's Geotracker website (<a href="http://geotracker.swrcb.ca.gov">http://geotracker.swrcb.ca.gov</a>) and the Alameda County Environmental Health website (<a href="http://www.acgov.org/aceh/index.htm">http://www.acgov.org/aceh/index.htm</a>).

#### SITE INVESTIGATION AND CLEANUP SUMMARY

Please be advised that the following conditions exist at the site:

- Soils in the eastern portion of the site contain lead at concentrations up to 1,600 parts per million (ppm).
- Groundwater beneath the site contains residual 1,1,1-trichloroethane at concentrations up to 540 parts per billion (ppb).
- Due to the residual contamination, a Covenant and Environmental Restriction was recorded for the site.

If you have any questions, please call Jerry Wickham at (510) 567-6791. Thank you.

Sincerely

Donna L. Drogos, P.E.

LOP and Toxics Program Manager

Enclosure: Case Closure Summary

Mr. John Weber RO0002995 December 9 2009 Page 2

cc: Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341 Oakland, CA 94612-2032

John Weber, c/o Cox, Castle, & Nicholson LLP, 555 California Street, 10<sup>th</sup> Floor, San Francisco, CA 94104

Gary Thomas, PES Environmental, Inc., 1682 Novato Boulevard, Suite 100, Novato, California 94947-7021

Kyle Flory, PES Environmental, Inc., 1682 Novato Boulevard, Suite 100, Novato, California 94947-7021

Donna Drogos, ACEH Jerry Wickham, ACEH Geotracker, File

## CASE CLOSURE SUMMARY LEAKING UNDERGROUND FUEL STORAGE TANK - LOCAL OVERSIGHT PROGRAM

#### I. AGENCY INFORMATION

Agency Name: Alameda County Environmental Health	Address: 1131 Harbor Bay Parkway
City/State/Zip: Alameda, CA 94502-6577	Phone: (510) 567-6791
Responsible Staff Person: Jerry Wickham	Title: Senior Hazardous Materials Specialist

#### **II. CASE INFORMATION**

Site Facility Address: 4600-4700	Site Facility Address: 4600-4700 Coliseum Way, Oakland, CA 94601			
RB Case No.:	Local Case No.: LOP Case No.: RO0002995		Case No.: RO0002995	
URF Filing Date:	Geotracker ID: T10000000883 APN: 34-2293-3 and 34-22		34-2293-3 and 34-2293-4-2	
Responsible Parties	Addresses	Addresses		
John Weber, ICONCO	P.O. Box 304, Diablo, CA 94528	P.O. Box 304, Diablo, CA 94528-304		

Tank I.D. No	Size in Gallons	Contents	Closed In Place/Removed?	Date
1	1,100 gallons	Suspected gasoline tank but residue contained diesel and motor oil	Removed	05/20/2009
	Piping		Removed	05/20/2009

Date: September 23, 2009

#### III. RELEASE AND SITE CHARACTERIZATION INFORMATION

Cause and Type of Release: During inspection of the tank following removal, numerous holes ranging from pinhole size to 1-inch in diameter were observed.

Site characterization complete? Yes

Date Approved By Oversight Agency: ---
Monitoring wells installed? No

Number: 0

Proper screened interval? --
Highest GW Depth Below Ground Surface:
approximately 4 feet bgs

Most Sensitive Current Use: Potential drinking water source.

Summary of Production Wells in Vicinity: No water supply wells within ½ mile of the site.		
Are drinking water wells affected? No	Aquifer Name: East Bay Plain	
Is surface water affected? No  Nearest SW Name: Concrete-lined drainage ditch is approximately 1,000 feet southeast of the site.		
Off-Site Beneficial Use Impacts (Addresses/Locations): None		
Reports on file? Yes  Where are reports filed? Alameda County Environmental Health and City of Oakland Fire Department		

TREATMENT AND DISPOSAL OF AFFECTED MATERIAL			
Material	Amount (Include Units)	Action (Treatment or Disposal w/Destination)  Date	
Tank	1 tank	Disposed off-site at Ecology Control Industries in Richmond, CA	054/20/2009
Piping	Not reported	Disposed off-site at Ecology Control Industries in Richmond, CA	05/20/2009
Free Product		m m/m m	
	385 tons	Disposed at Kettleman Hills Hazardous Waste Facility in Kettleman City, CA	July 2003
Soil	54 tons	Lead and zinc-affected soil was disposed at Kettleman Hills Hazardous Waste Facility in Kettleman City, CA	April 2009
	79.5 tons	VOC-affected soil was disposed at Forward Landfill in Manteca, CA	April 2009
Groundwater			and sin sale to

## MAXIMUM DOCUMENTED CONTAMINANT CONCENTRATIONS BEFORE AND AFTER CLEANUP (Please see Attachments 1 through 6 for additional information on contaminant locations and concentrations)

61	Soil (ppm)		Water (ppb)	
Contaminant	Before	After	Before	After
TPH (Gas)	<1	<1	68	68
TPH (Diesel)	9.9	9.9	95	95
TPH (Motor Oil)	84	84	<250	<250
Benzene	<4.3	<4.3	<0.5	<0.5
Toluene	<4.3	<4.3	<0.5	<0.5
Ethylbenzene	<4.3	<4.3	<0.5	<0.5
Xylenes	<4.3	<4.3	<0.5	<0.5
Lead	4,500	1,600	<5	<5
Zinc	18,000	1,400	140	140
Other Heavy Metals (Cd, Cr, and Ni)	1,100(1)	49(2)	9.4(3)	9.4(3)
MTBE	<4.3(4)	<4.3(4)	<0.5(5)	<0.5(5)
Other (8240/8270)	11.0(6)	1.0(7)	1,200(8)	540(9)

- (1) Chromium = 1,100 ppm; cadmium = 8.3 ppm; and nickel = 130 ppm.
- (2) Chromium = 49 ppm; cadmium = 3.8 ppm; and nickel = 63 ppm.
- (3) Nickel = 9.4 ppb; chromium <5 ppb; and cadmium <5 ppb.
- (4) MTBE<4.3 ppm MTBE, no other fuel oxygenates detected at various reporting limits.
- (5) MTBE <0.5 ppb; DIPE = 22 pbb; no other fuel oxygenates detected at various reporting limits.
- (6) 1,1,1-TCA = 11.0 ppm; 1,1-DCA = 2.5 ppm; 1,1-DCE = 0.031 ppm; all other VOCs not detected at various reporting limits.
- (7) 1,1,1-TČA = 1.0 ppm; 1,1-DCA = 0.35 ppm; 1,1-DCE = 0.031 ppm; all other VOCs not detected at various reporting limits.
- (8) 1,1,1-TČA = 1,200 ppb; 1,1-DCA = 310 ppb; 1,1-DCE = 1,000 ppb; 1,1,2-TCA = 17 ppb, 1,2-DCA = 20 ppb; and TCE = 120 ppb; all other VOCs not detected at various reporting limits.
- (9) 1,1,1-TCA = 540 ppb; 1,1-DCA = 230 ppb; 1,1-DCE = 1,000 ppb; 1,1,2-TCA = 3.5 ppb, 1,2-DCA = 20 ppb; and TCE = 120 ppb; all other VOCs not detected at various reporting limits

#### Site History and Description of Corrective Actions:

The site, which is 2.7-acres in size, is comprised of two adjacent parcels with addresses of 4600 and 4700 Coliseum Way in Oakland, CA. Buildings at the site consist of two smaller metal-framed warehouses in the western portion of the site and a large warehouse building in the center of the site. The two metal-framed warehouses in the western portion of the site were constructed between 1913 and 1925 for use as storage facilities for feed and coal. A Phase I Environmental Site Assessment (ESA) dated October 22, 2007 and prepared by AEI Consultants, indicates that the warehouses have historically been used for wooden molding operations, insulation manufacturing, and cabinet making. Currently, the warehouses are used for storage of miscellaneous equipment and construction supplies. The large metal warehouse in the central portion of the site was constructed in 1968 for use by Bostrom Bergen Manufacturing for use as a metal manufacturing facility. Bostrom occupied the site from 1969 through 2000. The large warehouse building is currently occupied by Cable Moore, Inc., which manufactures wire rope, cable, rigging, and safety construction equipment. Surrounding land use is commercial/industrial.

This case closure summary addresses three environmental conditions at the site:

- 1) VOC-contaminated soil beneath a former shed located northeast of the large warehouse building.
- 2) Red-stained soil containing elevated concentrations of metals northeast of the large warehouse building.
- 3) An underground storage tank (UST) located in the western portion of the site.

#### VOC-Contaminated Soil beneath Former Shed

Based on the results of a Phase I ESA by AEI Consultants dated October 22, 2007, three soil borings were advanced in the northeastern portion of the site to evaluate potential migration of contaminants onto the site from off-site locations and two soil borings were advanced in the area of a former gasoline UST. The VOCs 1,1,1-trichloroethane (TCA) and its degradation products were detected in groundwater in the northeastern portion of the site at concentrations up to 1,200 ppb. Low concentrations of toluene were detected in groundwater in the area of the former gasoline tank.

In June and July 2008, 15 soil borings were advanced in the area of the former shed in the northeastern portion of the site to evaluate whether soil beneath the shed was the source of VOCs detected in groundwater. The VOCs 1,1-DCE, 1,1-DCA, and 1,1,1-TCA were detected in soil with the highest concentrations detected in the immediate vicinity of the shed. Low concentrations of VOCs were detected in soil samples collected outside the immediate vicinity of the shed. Based on the results of these investigations, soil was excavated to a depth of approximately 5.5 feet bgs from an area beneath the former shed. Soil excavation was conducted in three slot trenches from April 8 through April 10, 2009. Analytical results from verification sidewall and bottom samples indicated that the VOC-affected soil with concentrations exceeding ESLs were removed from the area of the former shed.

#### Red-stained Soil Northeast of the Large Warehouse Building

In 2002, Kleinfelder prepared an ESA that identified red-stained soil in the "painting area in the rear of the site." Based on the observations in the ESA, four soil samples were collected in 2003 from the red-stained soil at the rear of the site and analyzed for metals. Maximum concentrations of metals in the four soil samples were 8.3 ppm for cadmium, 1,100 ppm for chromium, 4,500 ppm for lead, 130 ppm for nickel, and 18,000 ppm for zinc. Based on these results, the red-stained soil was excavated to a depth of 12 inches on June 12 and 18, 2003. Approximately 226 tons of soil classified as "California hazardous" and 159 tons of "RCRA hazardous" soil was removed from an area measuring 140 by 40 feet. Following the excavation, four confirmation soil samples were collected and analyzed for lead. Total lead concentrations in the four confirmation samples ranged from 42 to 130 ppm.

On March 27, 2009, 23 soil borings were advanced in the northeastern portion of the site to evaluate whether the soil with elevated concentrations of metals was sufficiently delineated and remediated. Select soil samples from 16 of the 23 soil borings were analyzed for lead and zinc. During a second phase of investigation on April 3, 2009, near surface soil samples were collected at locations B-37 through B-40 to further delineate the lateral extent of elevated zinc detected in the vicinity of boring B-31 in the overhead crane area. Elevated concentrations of zinc were not detected in soil samples collected in close proximity to B-31. Excavation and removal was not considered necessary based on these results. The overhead crane area including B-31 was covered with concrete as part of facility improvements.

Between April 10 and May 20, 2009, near surface soil samples were collected at 10 additional locations (B-41 through B-50) to assess the lateral extent of elevated lead and zinc associated with red-stained soil in the vicinity of the former shed northeast of the large warehouse building.

Site History and Description of Corrective Actions (continued)

The shed, including the 12 by 20 foot concrete pad for the shed, was removed in April 2009. Red-stained soil in the area of the former shed was excavated on April 9, 2009 and May 21, 2009. Soil excavation, which was based on visual observation and analytical results from samples collected in the area of the former shed, extended to the northeastern property boundary. Based on analytical results, the vertical extent of the excavation was extended to the top of native soil, which was typically encountered at depths of 8 to 12 inches. Soil with concentrations exceeding the target cleanup goals (ESLs for commercial land use) was removed during the excavation activities with two exceptions. A small quantity soil containing zinc at a concentration exceeding the target cleanup goal was left in place in the area of B-31; the area was covered with a concrete pad. A small quantity of soil containing lead and zinc was left in place in the area of samples B-49 and B-50.

#### Gasoline Tank

A 6,000-gallon gasoline tank was noted in the northwest portion of the site on historical Sanborn maps (1952 and 1966). Two soil borings were advanced in the area of the gasoline tank in January 2008. Toluene was detected at low concentrations (less than 2 ppb) in grab groundwater samples from the two soil borings (B4 and B5). TPHg, benzene, ethylbenzene, and xylenes were not detected in grab groundwater samples from the two borings. In correspondence dated March 13, 2009, ACEH requested that a geophysical investigation be conducted in the suspected area of the gasoline tank to assess whether the tank remained in place. A geophysical survey conducted on April 8, 2009 identified a targe subsurface metal object with a signature consistent with a UST. Excavation activities revealed that the UST had a capacity of approximately 1,100 gallons. Approximately 900 gallons of liquid were removed and disposed off-site. The UST was removed on May 19, 2009. Two soil samples collected from the tank pit contained TPHd and TPHmo at maximum concentrations of 7 and 56 ppm, respectively. TPHg was not detected in soil at concentrations above the reporting limit. A grab groundwater sample collected from the tank pit contained TPHg at a concentration of 68 ppb and did not contain TPHd and TPHmo at concentrations above the reporting limit. Based on the limited extent and concentrations of fuel hydrocarbons observed in the area of the former tank, no further action was required.

#### IV. CLOSURE

Does completed corrective action protect existing beneficial uses per the Regional Board Basin Plan? Yes		
Does completed corrective action protect potent	ial beneficial uses per the Regional E	Board Basin Plan? Yes
Does corrective action protect public health for current land use? Alameda County Environmental Health staff does not make specific determinations concerning public health risk. However, based upon the information available in our files to date, it does not appear that the release would present a risk to human health based upon current land use and conditions.		
Site Management Requirements: Case closure for the site is granted for industrial, commercial, or office space land use only Restrictions on future land use are described in the Covenant and Environmental Restriction on Property that is included as an attachment to this Case Closure Summary. The restrictions on this site are to be entered into the City of Oakland Permit Tracking System due to the residual contamination on site.  Should corrective action be reviewed if land use changes? Yes		
Was a deed restriction or deed notification filed? Yes Date Recorded:		
Monitoring Wells Decommissioned: NA Number Decommissioned: 0 Number Retained: 0		Number Retained: 0
List Enforcement Actions Taken: None		
List Enforcement Actions Rescinded:		

#### V. ADDITIONAL COMMENTS, DATA, ETC.

Considerations and/or Variances:
None.
Conclusion:
Alameda County Environmental Health staff believe that the levels of residual contamination do not pose a significant threat to water resources, public health and safety, and the environment based upon the information available in our files to date. No further investigation or cleanup is necessary. ACEH staff recommend case closure for this site

#### VI. LOCAL AGENCY REPRESENTATIVE DATA

Prepared by: Jerry Wickham	Title: Senior Hazardous Materials Specialist
Signature: Jury Wielshow	Date: 12/02/09
Approved by: Donna L. Drogos, P.E.	Title: Supervising Hazardous Materials Specialist
Signature: Lhu H (hyp)	Date: 12/02/09

This closure approval is based upon the available information and with the provision that the information provided to this agency was accurate and representative of site conditions.

#### VII. REGIONAL BOARD NOTIFICATION

Regional Board Staff Name: Cherie McCaulou	Title: Engineering Geologist
RB Response: Concur, based solely upon information contained in this case closure summary.	Date Submitted to RB: 12/2/89
Signature: Re-Willand	Date: 10-18/09

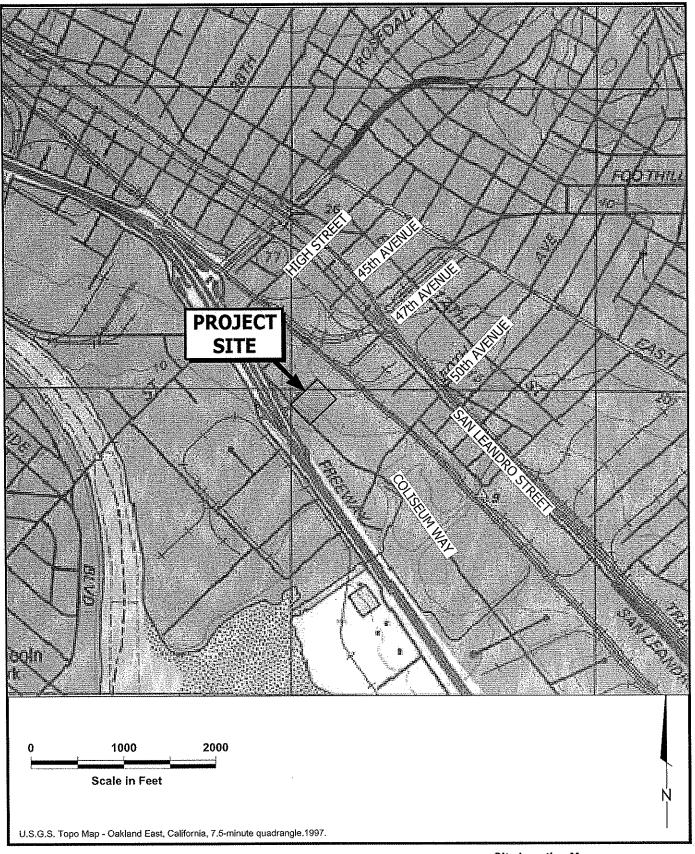
#### VIII. MONITORING WELL DECOMMISSIONING

Date of Well Decommissioning Report: NA		
Number Decommissioned: 0	Number Retained: 0	
water data from retained wells: None		
ACEH Concurrence - Signature: \tag{08/09}		
	Number Decommissioned: 0	

#### Attachments:

- 1. Site Vicinity Map (1 p)
- 2. Site Plans and Sampling Location Maps (4 pp)
- Maps with Analytical Results (5 pp)
- 4. Soil Analytical Data (12 pp)
- 5. Groundwater Analytical Data (3 pp)
- 6. Boring Logs (38 pp)
- 7. Covenant and Environmental Restriction on Property (12 pp)

This document and the related CASE CLOSURE LETTER & REMEDIAL ACTION COMPLETION CERTIFICATE shall be retained by the lead agency as part of the official site file.

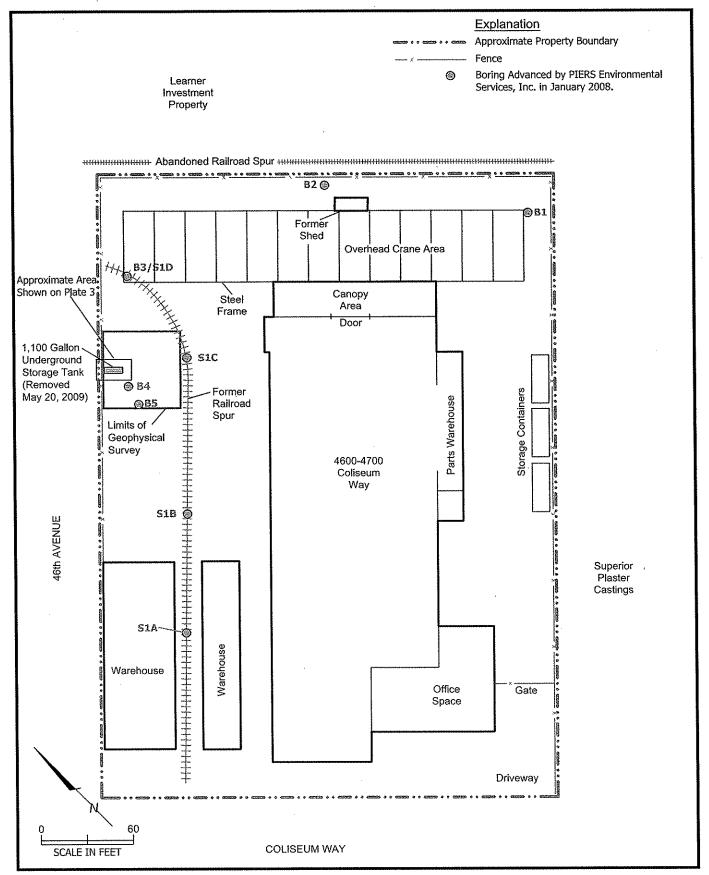




**Site Location Map** UST Removal Report 4600-4700 Coliseum Way Oakland, California

PLATE

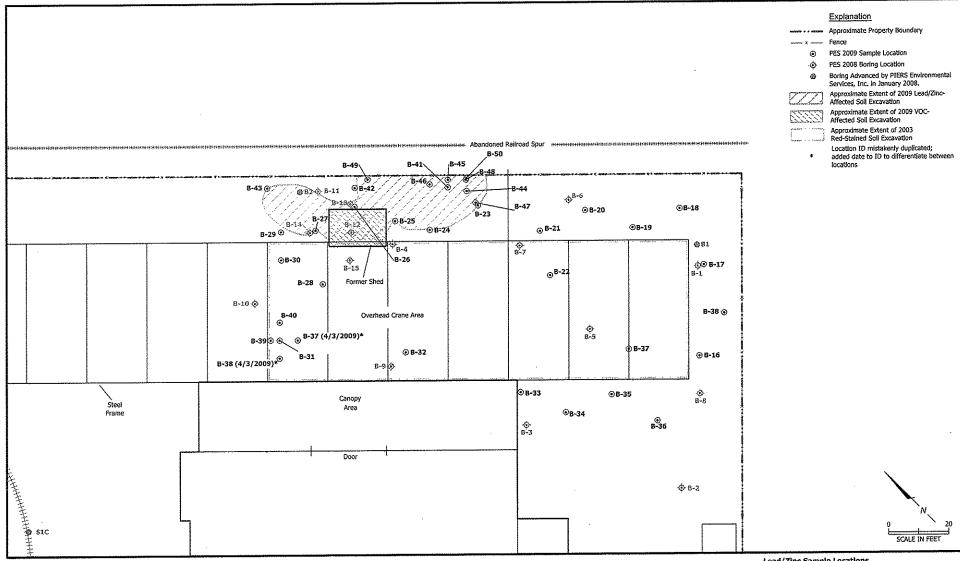
JOB NUMBER





Site Plan UST Removal Report 4600-4700 Coliseum Way Oakland, California

2





Lead/Zinc Sample Locations and Excavation Boundaries Soil Remediation Report 4600-4700 Coliseum Way Oakland, California

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7/09

DATE

Paint Shed

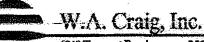
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Metal Shed

**LEGEND** 

- Soil sample location
- Column location



6940 Tremont Road LIC# 455752 Dixon, California 95620-9603 PH# (707) 693-2929 Fax# (707) 693-2922 Soil Sample Locations

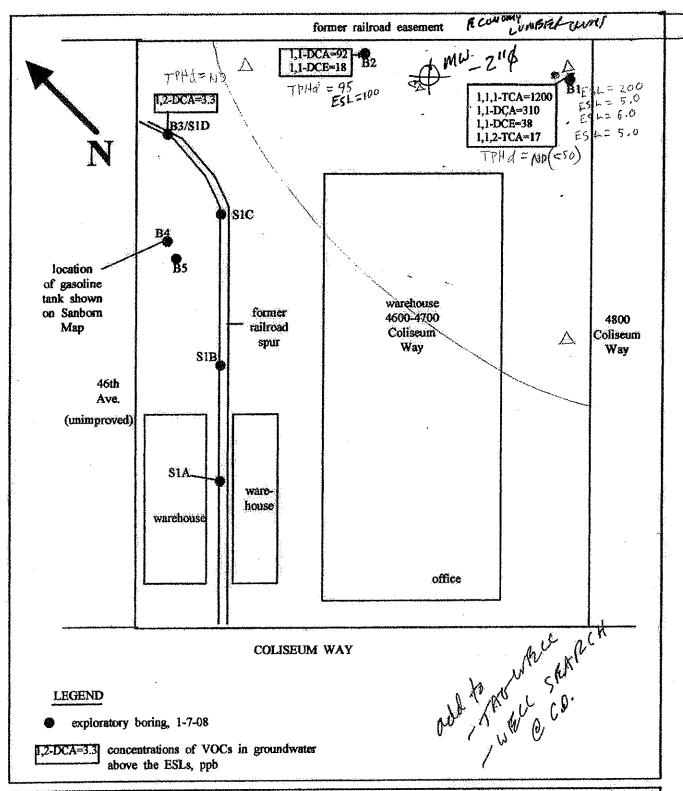
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4700 Coliseum Way Oakland California

Project #: 4127 Figure: Dute: 5/06/03 Scale:

12-10 CRAPMER PROP.

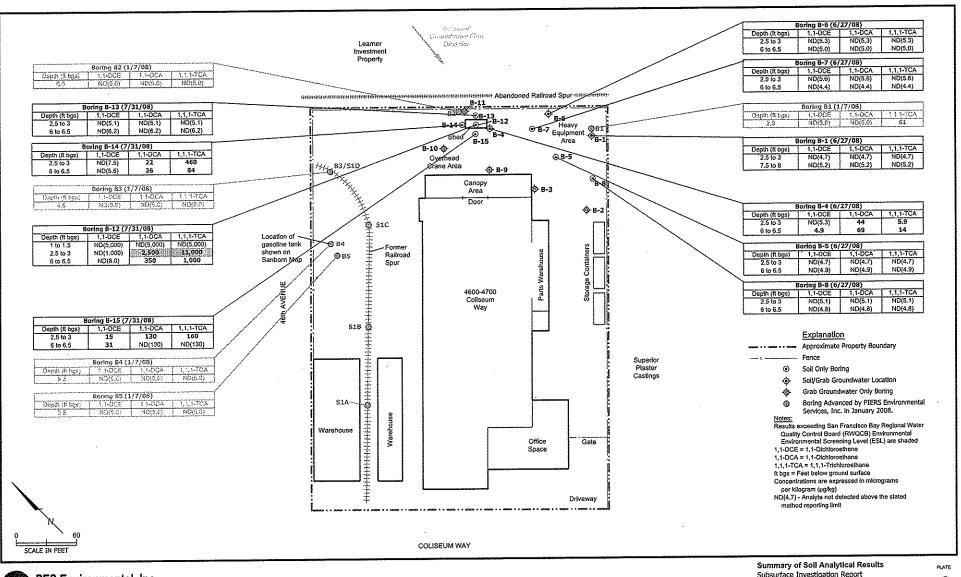
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4600-4700 COLISEUM WAY OAKLAND, CA

FIGURE 2 SITE PLAN - LOCATIONS OF EXPLORATORY BORINGS JANUARY 2008 SCALE: 1" = 60'

PIERS ENVIRONMENTAL SERVICES, INC. 1330 BASCOM AVE. SUITE F SAN JOSE, CA 95128 PHONE: 408-559-1248 FAX: 408-559-1224 WEB: PIERSES.COM



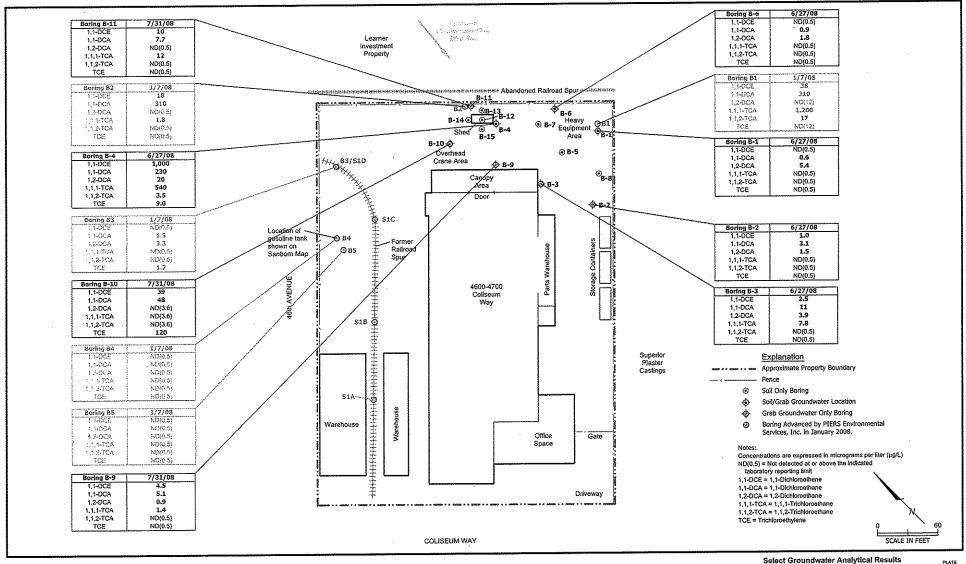


Subsurface Investigation Report 4600-4700 Coliseum Way Oakland, California

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**ATTACHMENT 3** 



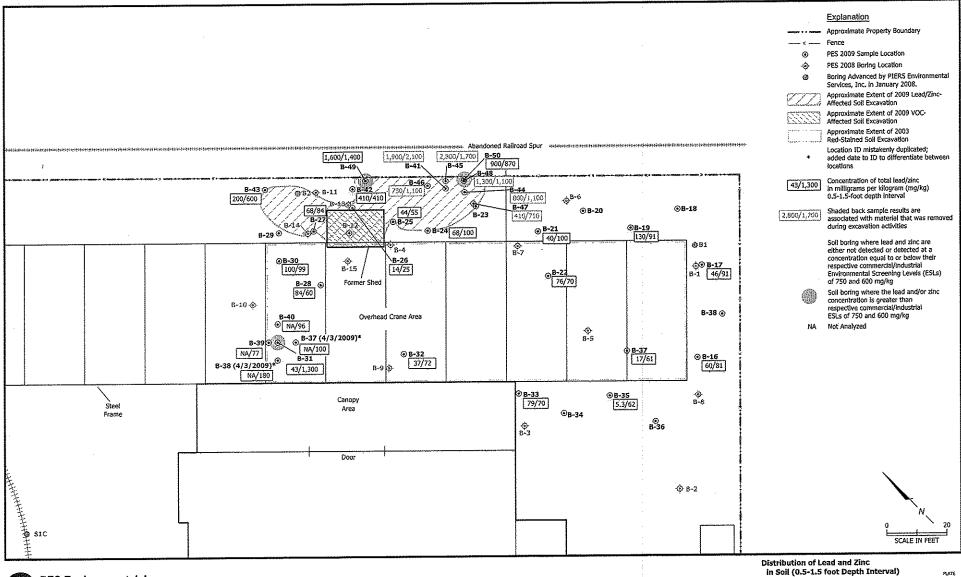


Subsurface Investigation Report 4600-4700 Collseum Way Oakland, California

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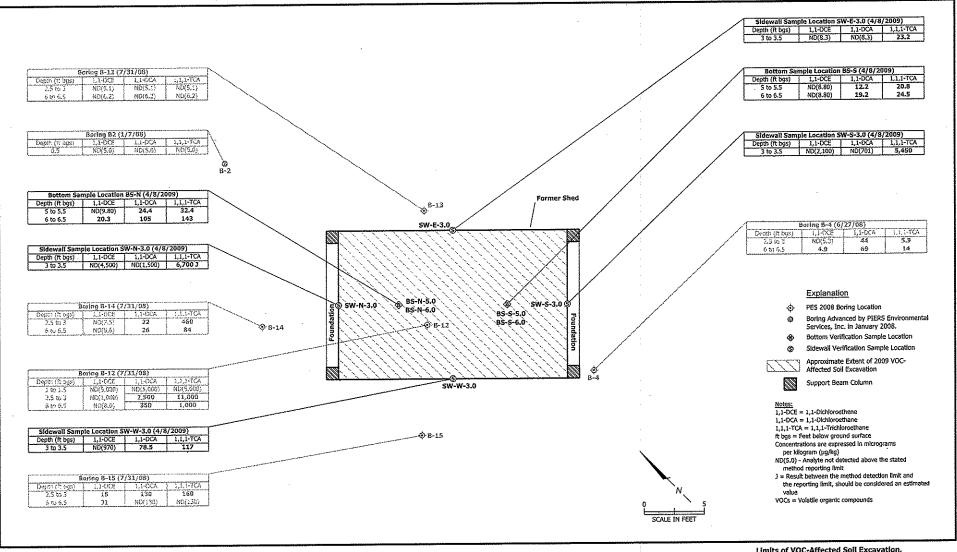




in Soil (0.5-1.5 foot Depth Interval) Soil Remediation Report

4600-4700 Coliseum Way Oakland, California

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Limits of VOC-Affected Soil Excavation, Sample Locations and Analytical Results Soil Remediation Report

Soil Remediation Report 4600-4700 Collseum Way Oakland, California 5

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DATE

#### Explanation Approximate Property Boundary **②** Sidewall Sample Groundwater Sample Extent of Excavation Former Underground Storage Tank Sidewall Soil Sample USTSW-NW (mg/kg) Depth (Feet bgs) TPHg ND(0.20) **TPHd** 3.3 Y **TPHmo** 27 ND(4.3) **BTEX** MTBE ND(4.3) Other Fuel Oxygenates All ND 3.8 Cadmium 49 Chromium

Lead Nickel

Zinc

TPHg = Total petroleum hydrocarbons quantified as gasoline TPHd = Total petroleum hydrocarbons quantified as diesel

TPHmo = Total petroleum hydrocarbons quantified as motor oil

BTEX = B: Benzene; T: Toluene; E: Ethylbenzene; X: Xylenes

MTBE = Methyl-tert-butyl ether

mg/kg = Milligrams per kilogram

μg/L = Micrograms per liter

ND(4.3) = Compound not detected at or above the indicated laboratory reporting limit

Y = Sample exhibits chromatographic pattern which does not resemble standard

bgs = Below ground surface

9.2

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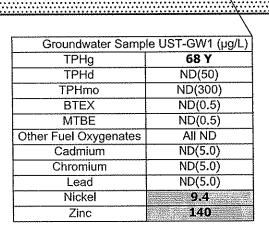
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USTSW-NW

Results exceeding San Francisco Bay Regional Water Quality Control Board (RWQCB) Environmental Screening Levels (ESLs) are shaded

Sidewall Soil Sample U	STSW-SE (mg/kg)
Depth (Feet bgs)	4.5
TPHg	ND(0.20)
TPHd	7.0 Y
TPHmo	56
BTEX	ND(4.1)
MTBE	ND(4,1)
Other Fuel Oxygenates	All ND
Cadmium	0.32
Chromium	49
Lead	9.0
Nickel	63
Zinc	43

USTSW-SE





Limits of Excavation, Sample Locations and Analytical Results UST Removal Report 4600-4700 Coliseum Way Oakland, California

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SCALE IN FEET

Table 2
Volatile Organic Compounds in Soil
4600-4700 Coliseum Way Site
Oakland, California

Boring Identification	Sample Identification	Sample Depth (Feet bgs)	Sample Date	1,1- DCE (µg/kg)	1,1- DCA (µg/kg)	1,1,1- TCA (µg/kg)	Other VOCs
B-1	B-1-2.5'-3'	2.5-3	6/27/2008	ND (4.7)	ND (4.7)	ND (4.7)	Ali ND
B-1	B-1-7.5'-8'	7.5-8	6/27/2008	ND (5.2)	ND (5.2)	ND (5.2)	All ND
B-4	B-4-2.5'-3'	2.5-3	6/27/2008	ND (5.3)	44	5.9	All ND
B-4	B-4-6'-6.5'	6-6.5	6/27/2008	4.9	69	14	All ND
B-5	B-5-2.5'-3'	2.5-3	6/27/2008	ND (4.7)	ND (4.7)	ND (4.7)	All ND
B-5	B-5-6'-6.5'	6-6.5	6/27/2008	ND (4.9)	ND (4.9)	ND (4.9)	All ND
B-6	B-6-2.5'-3'	2.5-3	6/27/2008	ND (5.3)	ND (5.3)	ND (5.3)	All ND
B-6	B-6-6'-6.5'	6-6.5	6/27/2008	ND (5.0)	ND (5.0)	ND (5.0)	All ND
B-7	B-7-2.5'-3'	2.5-3	6/27/2008	ND (5.6)	ND (5.6)	ND (5.6)	All ND
B-7	B-7-6'-6.5'	6-6.5	6/27/2008	ND (4.4)	ND (4.4)	ND (4.4)	All ND
B-8	B-8-2.5'-3'	2.5-3	6/27/2008	ND (5.1)	ND (5.1)	ND (5.1)	All ND
B-8	B-8-6'-6.5'	6-6.5	6/27/2008	ND (4.8)	ND (4.8)	ND (4.8)	All ND
B-12	B-12-1-1,5	1-1.5	7/31/2008	ND (5,000)	ND (5,000)	ND (5,000)	All ND
B-12	B-12-2.5-3	2.5-3	7/31/2008	ND (1,000)	2,500	11,000	All ND
B-12	B-12-6-6.5	6-6.5	7/31/2008	ND (8.0)	350	1,000	All ND
B-13	B-13-2.5-3	2.5-3	7/31/2008	ND (5.1)	ND (5.1)	ND (5.1)	All ND
B-13	B-13-6-6.5	6-6.5	7/31/2008	ND (6.2)	ND (6.2)	ND (6.2)	All ND
B-14	B-14-2.5-3	2.5-3	7/31/2008	ND (7.5)	22	460	All ND
B-14	B-14-6-6.5	6-6.5	7/31/2008	ND (5.6)	26	84	All ND
B-15	B-15-2.5-3	2.5-3	7/31/2008	15	130	160	All ND
B-15	B-15-6-6.5	6-6.5	7/31/2008	31	ND (130)	ND (130)	All ND
	Shallov	v (<3 meters bgs	) Soil ESL <sup>(1)</sup>	4,300	1,900	7,800	N/A

#### Notes:

ESL<sup>(1)</sup> = San Francisco Bay Regional Water Quality Control Board (RWQCB) Environmental Screening Level (ESL) for commercial/industrial land use where potentially impacted groundwater is not a current or potential drinking water resource (Table B).

- Results exceeding commercial/industrial ESLs are shaded

1,1-DCE = 1,1-Dichloroethene

1,1-DCA = 1,1-Dichloroethane

1,1,1-TCA = 1,1,1-Trichloroethane

bgs = Below ground surface

µg/kg = Micrograms per kilogram

ND (4.7) - Analyte not detected above the stated laboratory reporting limit.

ND = Not detected

N/A = Not applicable

Table 1 Lead and Zinc Soil Sample Analytical Results 4600-4700 Coliseum Way Richmond, California

Location Identification	Sample Identification	Sample Depth (Feet bgs)	Sample Date	Lead (mg/kg)	Zinc (mg/kg)	Comments
B-16	B-16-0.5	0.5-1.0	3/27/2009	60	81	
8-17	B-17-0.5	0.5-1.0	3/27/2009	46	91	
B-19	B-19-0.5	0.5-1.0	3/27/2009	130	91	: 
8-21	B-21-0.5	0.5-1.0	3/27/2009	40	100	
B-22	B-22-1.0	1.0-1.5	3/27/2009	76	70	
B-24	B-24-0.5	0.5-1.0	3/27/2009	68	100	
B-25	B-25-1.0	1.0-1.5	3/27/2009	44	55	
B-26	B-26-1.0	1.0-1.5	3/27/2009	14	25	
B-27	B-27-1,0	1.0-1.5	3/27/2009	68	84	
B-28	B-28-1.0	1.0-1.5	3/27/2009	84	60	
B-30	B-30-0.5	0.5-1.0	3/27/2009	100	99	
	B-31-0.5	0,5-1,0	3/27/2009	43	1,300	Material associated with this sample was capped with concrete
B-31	B-31-1.5	1.5-2.0	3/27/2009	NA	190	
B-32	B-32-1.0	1.0-1.5	3/27/2009	37	72	
B-33	B-33-0.5	0.5-1.0	3/27/2009	79	70	
B-35	B-35-0.5	0,5-1.0	3/27/2009	5.3	62	
B-37	B-37-1.0	1.0-1.5	3/27/2009	17	61	
B-37 (4/3/2009)*	B-37-1.0	1,0-1.5	4/3/2009	NA	100	
B-38 (4/3/2009)*	B-38-1.0	1.0-1.5	4/3/2009	NA	180	
B-39	B-39-1.0	1.0-1.5	4/3/2009	NA	77	
B-40	B-40-1.0	1.0-1.5	4/3/2009	NA	96	
B-41	8-41-0	0-0,5	4/10/2009	1,900	2,100	Material associated with this sample was removed during excavation activities
B-42	B-42-0	0-0.5	4/10/2009	410	410	
8-43	B-43-0	0-0.5	4/10/2009	200	600	
8-44	B-44-1.0	0.75-1.0	5/14/2009	800	1,100	Material associated with this sample was removed during excavation activities
B-45	B-45-1.0	0.75-1.0	5/14/2009	2,800	1,700	Material associated with this sample was removed during excavation activities
B-46	B-46-1,0	0.75-1.0	5/14/2009	730	1,100	Material associated with this sample was removed during excavation activities
B-47	8-47-1,0	0.75-1.0	5/19/2009	410	710	Material associated with this sample was removed during excavation activities
B-48	B-48-1.0	0.75-1.0	5/19/2009	1,300	1,100	Material associated with this sample was removed during excavation activities
8-49	B-49-1	0.75-1.0	5/20/2009	1,600	1,400	Material associated with this sample was capped with concrete
B-50	B-50-1	0.75-1.0	5/20/2009	900	870	Material associated with this sample was capped with concrete
	Shallow (<3 meters bgs) Soil ESL <sup>(1</sup>				600	

#### Notes:

bgs = Below ground surface mg/kg = Milligrams per kilogram

NA = Not analyzed

- Results exceeding commercial/industrial ESLs are shaded

<sup>\*=</sup> Location ID mistakenly duplicated; added date to ID to differentiate between locations

<sup>(1) =</sup> San Francisco Bay Regional Water Quality Control Board (RWQCB) Environmental Screening Level (ESL) for commercial/industrial land use where potentially impacted groundwater is not a current or potential drinking water resource.

Table 2

VOC Excavation Sidewall and Bottom Soil Sample Analytical Results

4600-4700 Coliseum Way

Oakland, California

Excavation Area	Laboratory Sample ID	Sample Depth (feet bgs)	Date Collected	1,1,1-TCA (μg/kg)	1,1-DCA (µg/kg)	1,1-DCE (µg/kg)	Other VOCs (µg/kg)
-	BS-N-5.0	5.0	4/8/2009	32.4	24.4	ND(9.80)	ALL ND
	BS-N-6.0	6.0	4/8/2009	143	105	20.3	ALL ND
Bottom	BS-S-5.0	5,0	4/8/2009	20.8	12.2	ND(8.80)	ALL ND
	BS-S-6.0	6.0	4/8/2009	24.5	19.2	ND(8.30)	ALL ND
North Sidewall	SW-N-3.0	3.0	4/8/2009	6,700 J	ND(1,500)	ND(4,500)	ALĻ ND
South Sidewall	SW-S-3.0	3.0	4/8/2009	5,450	ND(701)	ND(2,100)	ALL ND
East Sidewall	SW-E-3.0	3.0	4/8/2009	23.2	ND(8,30)	ND(8.30)	ALL ND
West Sidewall	SW-W-3.0	3.0	4/8/2009	117	78.5	ND(9.70)	ALL ND
	Commercial/Industrial Soil ESL (1)					4,300	N/A

#### Notes:

VOC = Volatile organic compound

1,1,1-TCA = 1,1,1-Trichloroethane

1,1-DCA = 1,1-Dichloroethane

1,1-DCE = 1,1-Dichloroethene

bgs = Below ground surface

μg/kg = Micrograms per kilogram

ND(9.80) = Compound not detected at or above the indicated laboratory reporting limit

J = Result was between the method detection limit and the reporting limit, should be considered an estimated value

N/A = Not applicable

(1) = San Francisco Bay Regional Water Quality Control Board (RWQCB) Environmental Screening Levels (ESL) for commercial/industrial land use where potentially impacted groundwater is not a current or potential drinking water resource.

= Exceeds the commerical/industrial soil ESL

Concentrations of lead in the samples were compared to the U.S. Environmental Protection Agency's (US EPA) Preliminary Remediation Goal (PRG) and the San Francisco Regional Quality Control Board's (RWQCB) Risk-Based Screening Level (RBSL) for lead in shallow soils at industrial sites (750 milligrams per kilogram[mg/kg]).

#### SUMMARY OF FINDINGS

Each of the samples collected are below the SSTL for lead. Results for the samples collected are as follows

Sample Number	Lead Concentration (mg/kg)
CS-1-SB	130
CS-2-SB	92
CS-3-SB	42
CS-4-SB	83
Comparison Criteria*	750

#### Notes:

A copy of the complete analytical results is attached with this letter.

Kleinfelder is in the process of arranging for the disposal of the soils from the site. Upon completion of the soil removal, Kleinfelder will prepare a letter to you verifying that the soils were removed.

#### LIMITATIONS

This report was prepared in general accordance with the accepted standard of care that existed at the time the report was written. No warranty, express or implied, is made. Sample test results and the findings represent conditions present on the date and at the time the sampling was completed.

The mutually agreed upon scope of services described here is not intended to be inclusive, to identify all potential concerns, or to eliminate the possibility of other environmental problems. No level of assessment within current technology can show conclusively that a property or its structures are completely free of hazardous substances, chemical or biological. Judgments leading to conclusions and recommendations are generally made with an incomplete knowledge of the facility. Therefore, Kleinfelder cannot offer a certification that the property is free of environmental liability.

The property owner is solely responsible for notifying all government agencies, and the public at large, of the existence, release, treatment or disposal of any hazardous materials observed at the project site, either before or during the performance of Kleinfelder's services. Kleinfelder will assume no responsibility or liability whatsoever for any claim, loss of property value, damage, or injury which results from pre-existing hazardous materials being encountered or present on the project site, or from the discovery of such hazardous materials.

<sup>\* =</sup> Value listed is the U.S. EPA PRG and the RWQCB's RBSL



6940 Tremont Road
Dixon, California 95620
Contractor and Hazardous Substances License #455752
email: tech@wacralg.com
(800) 522-7244

RECEIVED

1:18 pm, Mar 03, 2009

Alameda County
Environmental Health

(707) 693-2929

Fax: (707) 693-2922

May 22, 2003

Project No. 4127

John Weber Iconco, Inc. 303 Derby Avenue Oakland, California 94601

Subject:

Soil Sample Results

4700 Coliscum Way, Oakland, California

Dear Mr. Weber:

On May 6, 2003, we collected four surface soil samples from the subject property. Soils from an area at the rear of the property were identified in the *Phase I Environmental Site Assessment Report, 4700 Coliseum Way, Oakland, California* by Kleinfelder, Inc. (KI), dated December 13, 2002 and during an inspection of the property by W.A. Craig, Inc. on April 30, 2003. The soils in question were stained a deep red color and reportedly were impacted by operations related to a paint booth located at the rear of the property. Several photographs of the red stained soil are included in Attachment A. The locations of these four samples are identified on Figure 1. The soil samples were analyzed for cadmium, chromium, lead, nickel and zinc by EPA method 6010C/200.7.

Sample	cadmium	chromium	lead	nickel	zinc	
SI	<5.0	530	4,500	100	13,000	
<b>S</b> 2	<5.0	480	490	100	16,000	
<b>S</b> 3	<5.0	270	300	130	15,000	
<b>S4</b>	8.3	1,100	1,600	120	18,000	
Oakland SSTLs	512	1,000,000	750 <sup>2</sup>	150	600	

Notes: Units are milligrams per kilogram (mg/Kg).

Assumes all chromium is trivalent

#### Table 2 Summary of UST Excavation Sidewall Soil Sample Analytical Results 4600-4700 Coliseum Way Richmond, California

		T		<u> </u>	Organic Analyses									Inorganic Analyses				
Excavation	excavation Sample Petroleum				Petroleum Hydrocarbons Volatile Organic Compounds						*							
Area	Designation	Sample Depth (feet bgs)	Date Collected	TPHg (mg/kg)	TPf(d (mg/kg)	TPHmo (mg/kg)	Benzene (mg/kg)	Toluene (mg/kg)	Ethylbenzene (mg/kg)	m.p-Xylenes' (mg/kg)	o-Xylenes (mg/kg)	MTBE (mg/kg)	Other Fuel Oxygenates (mg/kg)	Cadmium (mg/kg)	Chromium (mg/kg)	Lead (mg/kg)	Nickel (mg/kg)	Zinc (mg/kg)
North West Sidewall	USTSW-NW	4.5	5/20/2009	ND(0.20)	3,3 Y	27	ND(4.3)	ND(4.3)	ND(4.3)	ND(4.3)	ND(4.3)	ND(4.3)	AII ND	3.8	49	9,2	53	820
South East Sidewall	USTSW-SE	4.5	5/20/2009	ND(0.20)	7.0 Y	56	ND(4.1)	ND(4.1)	ND(4.1)	ND(4.1)	ND(4.1)	ND(4.1)	Ali ND	0,32	49	9.0	63	43
		Shallow (<3 meter	s bas) Soîl ESL <sup>(1)</sup>	180	180	2,500	0.27	9.3	4.7	11	11	8.4	N/A	7.4	750	750	150	600

#### Notes:

Notes:
UST = Underground Storage Tank
TPHg = Total petroleum hydrocarbons quantified as gosoline
TPHd = Total petroleum hydrocarbons quantified as diesel (with silica gel cleanup)
TPHmg = Total petroleum hydrocarbons quantified as motor oil (with silica gel cleanup)
MTBE = Methyl-tert-butyl ether
mg/kg = Milligrams per kilogram
ND(4,3) = Compound not detected at or above the indicated laboratory reporting limit
Y = Sample exhibits chromatographic pattern which does not resemble standard
N/A = Not applicable
bgs = Below ground surface
(1) = San Francisco Bay Regional Water Quality Control Board (RWQCB) Environmental Screening Level (ESL) for
commercial/industrial land use where potentially impacted groundwater is not a current or potential drinking water resource.

	McCampbell Analytical, Inc. "When Quality Counts"

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"When Quality	"When Quality Counts"				Telephone: 877-252-9262 Fax: 925-252-9269						
Piers Environmental	Client P	roject ID:	Colise	um Way	Date Sampled:	01/07/08					
1330 S. Bascom Avenue, Ste. F					Date Received:	01/07/08					
San Jose, CA 95128	Client C	Contact: Joe	el Greg	er	Date Extracted:	01/07/08					
3	Client P	.O.:			Date Analyzed	01/09/08					
Polychlorinated Biphenyls (PCBs) Aroclors by GC-ECD*											
Extraction Method: SW3550C		llytical Method:	SW808	2A		Work Order:	0801147				
Lab ID	0801147-006A										
Client ID	Comp S1A-D						Limit for				
Matrix	S				110000000000000000000000000000000000000						
DF <sup>3</sup>	1		,			s	w				
Compound			mg/kg	ug/L							
Aroclor1016	ND					0,025	NA				
Aroclor1221	ND					0.025	NA				
Aroclor1232	ND					0.025	NA				
Aroclor1242	ND					0,025	NA				
Aroclor1248	ND					0.025	NA				
Aroclor1254	ND					0.025	NA				
Aroclor1260	ND					0.025	NA				
PCBs, total	ND					0.025	NA,				
	Sarr	ogate Reco	veries	(%)							
%SS:	85										
<b>A</b>	56 5										

ND means not detected above the reporting limit; N/A means analyte not applicable to this analysis.

# surrogate diluted out of range or surrogate coelutes with another peak.

(h) a lighter than water immiscible sheen/product is present; (i) liquid sample that contains >-1 vol. % sediment; (j) sample diluted due to high organic content/matrix interference; (k) p,p,- is the same as 4,4,-; (l) florisil (EPA 3620) cleanup; (m) silica-gel (EPA 3630) cleanup; (n) elemental sulfur (EPA 3660) cleanup; (o) sulfuric acid permanganate (EPA 3665) cleanup; (p) see attached narrative; q) reporting limit raised due to insufficient sample amount; (r) results are reported on a dry weight basis;

<sup>\*</sup> water samples in µg/L, soil/sludge/solid samples in mg/kg, wipe samples in µg/wipe, filter samples in µg/filter, product/oil/non-aqueous liquid samples and all TCLP & SPLP extracts are reported in mg/L.



### McCampbell Analytical, Inc.

"When Quality Counts"

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Piers Environmental	Client Project ID: Coliseum Way	Date Sampled: 01/07/08
1220 G D Assessed Star E		Date Received: 01/07/08
1330 S. Bascom Avenue, Ste. F	Client Contact: Joel Greger	Date Extracted: 01/07/08
San Jose, CA 95128	Client P.O.:	Date Analyzed 01/10/08

#### Volatile Organics by P&T and GC/MS (Basic Target List)\*

Extraction Method: SW5030B		Inalytical	Method:	SW8260B		Work Order: 0801147			
Lab ID				0801147-006A					
Client ID				Comp S1A-D					
Matrix				Soil					
Compound	Concentration *	DF	Reporting Limit	Compound	Concentration *	DF	Reporting Limit		
Acetone	ND	1.0	0.05	Acrolein (Propenal)	ND	1.0	0.05		
Acrylonitrile	ND	1.0	0.02	tert-Amyl methyl ether (TAME)	ND ND	1.0	0.005		
Benzene	מא	1.0	0.005	Bromobenzene	QN	1,0	0.005		
Bromochloromethane	QN	1.0	0.005	Bromodichloromethane	D	1.0	0.005		
Bromaform	QN QN	1.0	0.005	Bromomethane	ND	1.0	0.005		
2-Butanone (MEK)	ND	1.0	0.02	t-Butyl alcohol (TBA)	ND D	1.0	0,05		
n-Butyl benzene	ND	1.0	0.005	sec-Butyl benzene	ND ND	1.0	0.005		
tert-Butyl benzene	ND	1.0	0.005	Carbon Disulfide	ND.	1.0	0.005		
Carbon Tetrachloride	ND	1.0	0.005	Chlorobenzene	ND	1.0	0.005		
Chloroethane	ND	1.0	0.005	2-Chloroethyl Vinyl Ether	ND	1.0	0.01		
Chloroform	. ND	1.0	0.005	Chloromethane	ND	1.0	0.005		
2-Chlorotoluene	ИD	1.0.	0.005	4-Chlorotoluene	ND	1.0	0.005		
Dibromochloromethane	ДИ	1.0	0.005	1.2-Dibromo-3-chloropropane	מא	1.0	0.004		
I-2-Dibromoethane (EDB)	ND .	. 1.0	0.004	Dibromomethane	ND.	1.0	0.005		
1.2-Dichlorobenzene	ND	1.0	0.005	1.3-Dichlorobenzene	מא	1.0	0.005		
1.4-Dichlorobenzene	ND	1.0	0.005	Dichlorodifluoromethane	ИD	1.0	0.005		
1.1-Dichloroethane	ND	1.0	0.005	1.2-Dichloroethane (1.2-DCA)	ND	1.0	0.004		
1.1-Dichloroethene	ND	1.0	0.005	cis-1.2-Dichloroethene	ND	.1.0	0.005		
trans-1,2-Dichloroethene	ND	1.0	0.005	1,2-Dichloropropane	ND	1.0	0.005		
l-3-Dichloropropane	ND	1.0	0.005	2.2-Dichloropropane	ND	1.0	0.005		
L1-Dichloropropene	ND	1.0	0.005	cis-1,3-Dichleropropene	ND	1.0	0.005		
trans-1.3-Dichloropropene	ND	1.0	0.005	Diisopropyl ether (DIPE)	ND	1.0	0.005		
Ethylbenzene	. ND	1.0	0.005	Ethyl tert-butyl ether (ETBE)	. ND	1.0	0,005		
Freon 113	ND	1.0	0.1	Mexachlorobutadiene	- ND	1.0	0,005		
Hexachloroethene	ND	1.0	0.005	2-Hexanone	. ND	1.0	0.005		
Isopropylbenzene	ND	1.0	0.005	4-Isopropyl toluene	ND	1.0	0.005		
Methyl-t-butyl ether (MTBE)	ND.	1.0	0.005	Methylene chloride	ND	1.0	0.005		
4-Methyl-2-pentanone (MIBK)	ND	1.0	0.005	Naphthalene	סא	1.0	0.005		
Nitrobenzene	מא	1.0	0.1	n-Pronyl benzene	ND	1.0	0.005		
Styrene	ND	1.0	0.005	1.1.1.2-Tetrachloroethane	ND	1.0	0.005		
1.1.2.2-Tetrachloroethane	ND	1.0	0.005	Tetrachloroethene	ND	1.0	0.005		
Toluene	ND	1.0	0.005		ND ND	1.0	0,005		
KINGIG			1 2 2 2 2	1.4.3.11.11.11.11.11.11.11.11.11.11.11.11.1			0.005		

1 1.2-4-Trimethylbenzene	ND	1.0	10.005.1	1.3.3-1rimethyloenzene	1 ND		10.000
Minyl Chloride	ND	1.0	0.005	Xylenes	ND		-0.005
		Surre	gate Re	coveries (%)			
%SS1:	9	2		%S\$2:		01	
%SS3:		3					
Comments:							

0.005 1.1.1-Trichloroethane

0.005 1.2.3-Trichloropropane

0.005 Trichloroethene

ND means not detected above the reporting limit; N/A means analyte not applicable to this analysis.

ND

ND

ND

1.0

1.0

# surrogate diluted out of range or coelutes with another peak; &) low surrogate due to matrix interference.

h) lighter than water immiscible sheen/product is present; i) liquid sample that contains greater than ~1 vol. % sediment; j) reporting limit raised due to high organic content/matrix interference; k) reporting limit near, but not identical to our standard reporting limit due to variable Encore sample weight; m) reporting limit raised due to insufficient sample amount; n) results are reported on a dry weight basis; p) see attached narrative.

ND

ND

ND

0.005

0.005

0.005

1.0

1.2.4-Trichlorobenzene

1.1.2-Trichloroethane

Trichlorofluoromethane

<sup>\*</sup> water and vapor samples are reported in µg/L, soil/sludge/solid samples in mg/kg, product/oil/non-aqueous liquid samples and all TCLP & SPLP extracts are reported in mg/L, wipe samples in µg/wipe.



### McCampbell Analytical, Inc.

"When Quality Counts"

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Client Project ID: Coliseum Way Piers Environmental Date Sampled: 01/07/08 Date Received: 01/07/08 1330 S. Bascom Avenue, Ste. F Client Contact: Joel Greger Date Extracted: 01/07/08 San Jose, CA 95128 Date Analyzed Client P.O.: 01/10/08

#### Volatile Organics by P&T and GC/MS (Basic Target List)\*

Analytical Method: SW8260B Work Order: 0801147 Extraction Method: SW5030B

Lab ID		0801147-010A										
Client ID				B4d9.5								
Matrix				Soil								
Compound	Concentration *	DF	Reporting Limit	Compound	Concentration *	DF	Reporting Limit					
Acetone	ND	1.0	0.05	Acrolein (Propenal)	ND	1.0	0.05					
Acrylonitrile	ND	1.0	0.02	tert-Amyl methyl ether (TAME)	ND	1.0	0.005					
Benzene	ND.	1.0	0.005	Bromobenzene	ЙĎ	1.0	0.005					
Bromochloromethane	ND	1.0	0.005	Bromodichloromethane	. DD	1.0	0.005					
Bromoform	ND ND	1.0	0.005		ND ND	1.0	0.005					
2-Butanone (MEK)	ND.	1.0	0.02	t-Butyl alcohol (TBA)	<u> </u>	1.0	0.05					
n-Butyl benzene	ND	1.0	0.005	sec-Butyl benzene	ND	1.0	0.005					
tert-Butyl benzene	ND ND	1.0	0.005	Carbon Disulfide	ND ND	1.0	0.005					
Carbon Tetrachloride	, ND	1.0	0.005	Chlorobenzene	ND.	1.0	0.005					
Chloroethane	QK	1.0	0.005	2-Chloroethyl Vinyl Ether	מא	1.0	0.01					
Chloroform	ND	1.0	0.005		ND.	1.0	0.005					
2-Chlorotoluene	ND	1.0	0.005	4-Chlorotoluene	ND ND	LΩ	0.005					
Dibromochloromethane	ND	.1.0	0.005	1,2-Dibromo-3-chloropropane	ND	1.0	0.004					
1,2-Dibromoethane (EDB)	מא	1.0	0.004		מַאַ	1.0.	0.005					
1,2-Dichlorobenzene	ND .	1.0	0.005		ND.	1.0	0.005					
1,4-Dichlorobenzene	dи	1.0	0.005		ND	1,0	0.005					
1.1-Dichloroethane	ИD	1.0	0:005		QN	1.0	0.004					
1.1-Dichloroethene	ND	1.0	0,005	cis-1,2-Dichloroethene	- QN	1.0	0.005					
trans-1,2-Dichloroethene	ND	1.0.	0.005		ND	1,0	0.005					
1.3-Dichloropropane	ND	1.0	0.005	· · · · · · · · · · · · · · · · · · ·	ND	1,0	0.005					
I,1-Dichloropropene	ND	1.0	0.005	cis-1,3-Dichloropropene	ND	1,0	0.005					
trans-1-3-Dichloropropene	ND.	1.0	0.005		ND	.1:,0	0.005					
Ethylbenzene	ND	1.0	0.005	Ethyl tert-butyl ether (ETBE)	ND	1,0	0.005					
Freon 113	ND	1.0	0.1	Hexachlorobutadiene	ND ND	1.0	0.005					
Hexachloroethane	ND	1.0	0.005	2-Hexanone	ND	1.0	0.005					
Isopropylbenzene	ИD	- 1.0	0.005	4-Isopropyl toluene	ND	1:0	0.005					
Methyl-t-butyl ether (MTBE)	ND	1.0	0.005		ND ND	-1.0	0.005					
4-Methyl-2-pentanone (MIBK)	ND	1.0	0,005	Naphthalene	ND ND	1.0	.0.005					
Nitrobenzene	ЙŪ	1.0	0.1	n-Propyl benzene	QN	1.0	0.005					
Styrene	ND	1.0	0.005	<u> </u>	ND	1.0	0.005					
1.1.2.2-Tetrachloroethane	ND	1.0	0.005		- DN	1.0	0.005					
Toluene	ND	1.0	0.005		ND	1.0	0.005					
1-2.4-Trichlorobenzene	QN	1.0	0.005		ND I	1.0	0.005					
1.1.2-Trichloroethane	ND ND	1.0	0.005		ND	1.0	0.005					
Trichlorofluoromethane	ДИ	1.0	0.005	in the state of th	ND	1.0	0.005					
1.2.4-Trimethylbenzene	ND	1.0	0.005		ND	1.0	0.005					
Vinvl Chloride	, ND	1:0		Xvlenes	l dn l	1:0	1.0.005					
		Surre	gate Re	coveries (%)	****	<del></del>						
%SS1:			%SS2:	10	1							
%SS3:		)5		<u> </u>								

\* water and vapor samples are reported in µg/L, soil/sludge/solid samples in mg/kg, product/oil/non-aqueous liquid samples and all TCLP & SPLP extracts are reported in mg/L, wipe samples in µg/wipe.

ND means not detected above the reporting limit; N/A means analyte not applicable to this analysis.

# surrogate diluted out of range or coelutes with another peak; &) low surrogate due to matrix interference.

h) lighter than water immiscible sheen/product is present; i) liquid sample that contains greater than ~1 vol. % sediment; j) reporting limit raised due to high organic content/matrix interference; k) reporting limit near, but not identical to our standard reporting limit due to variable Encore sample weight; m) reporting limit raised due to insufficient sample amount; n) results are reported on a dry weight basis; p) see attached narrative.



## McCampbell Analytical, Inc.

"When Quality Counts"

1534 Willow Pasa Road, Pittsburg, CA 94565-1701 Web; www.mccampbell.com E-mail: main@mccampbell.com Telephone: 877-252-9262 Fax: 925-252-9269

Client Project ID: Coliseum Way 01/07/08 Date Sampled: Piers Environmental Date Received: 01/07/08 1330 S. Bascom Avenue, Ste. F 01/07/08 Client Contact: Joel Greger Date Extracted: 01/10/08 Date Analyzed San Jose, CA 95128 Client P.O.:

#### Volatile Organics by P&T and GC/MS (Basic Target List)\*

Work Order: 0801147 Analytical Method: SW8260B Extraction Method: SW5030B 0801147-011A Lab ID B5d3.5 Client ID

Matrix				Soil			
Compound	Concentration *	DF	Reporting Limit	Compound	Concentration *	DF	Reporting Lamit
Acctone	ND	1.0	0.05	Acrolein (Propenal)	ND .	1:0	0.05
Acrylonitrile	ND	1,0	0.02	tert-Amyl methyl ether (TAME)	מא	1.0	0.005
Benzene	ŊD	1.0	0.005	Bromobenzene	<u> </u>	1,0	0.005
Bromochloromethane	ND	1.0	0.005	Bromodichloromethane	ND	1,0	0.005
Bromoform	ND	1.0	0.005		<u> </u>	1.0	0,005
2-Butanone (MEK)	ND	1.0	0.02	t-Butyl alcohol (TBA)	DND	1.0	0.05
n-Butyl benzene	ND	<u> </u>	0.005	sec-Butyl benzene	<u> an</u>	1.0	0.005
tert-Butyl benzene	ND	1.0	0.005	Carbon Disulfide	DND	1.0	0.005
Carbon Tetrachloride	QN	1.0	0.005	Chlorobenzene	ND	1.0	0.005
Chloroethane	ND	1.0	0.005	2-Chloroethyl Vinvl Ether	ND	1.0	0.01
Chloroform	ND	1.0	0.005	Chloromethane	ND	1.0	0.005
2-Chlorotoluene	ND	1.0	0.005	4-Chlorotoluene	ND D	1.0	0.005
Dibromochloromethane	QN .	1,0	0.005	1,2-Dibromo-3-chloropropane	ND	1.0	0.004
1-2-Dibromoethane (EDB)	ND	1.0	0.004	Dibromomethane	<u> </u>	1:0	0,005
1.2-Dichlorobenzene	· ND	1.0	0.005	1.3-Dichlorobenzene	ND	1.0	0.005
1/4-Dichlorobenzene	D	1.0	0.005	Dichlorodifluoromethane	ND	1.0	0.005
1.1-Dichloroethane	D	1,0	0.005	1,2-Dichloroethane (1,2-DCA)	ND	1.0	0.004
1.1-Dichloroethene	ND.	1.0	0.005	cis-1,2-Dichloroethene	ND	1.0	0.005
trans-1, 2-Dichloroethene	ND	1.0	0.005	1,2-Dichloropropane	<u>ND</u>	1.0	0.005
1.3-Dichloropropane	ND	1,0	0.005	2,2-Dichloropropane	ND	1.0	0.005
1,1-Dichloropropene	ND	1.0	0.005	cis-1,3-Dichloropropene	. ND	1.0	0.005
trans-1,3-Dichloropropene	ND	1.0	0.005	Disopropyl ether (DIPE)	<u>ND</u>	1.0	0.005
Ethylbenzene	ND	1.0	0.005	Ethyl tert-butyl ether (ETBE)	ND	1.0	0.005
Freon 113	ND	1.0	0,1	Hexachlorobutadiene	<u> </u>	1.0	0.005
Hexachloroethane	ND	1.0	0,005	2-Hexanone	ND	1.0	0.005
Isopropylbenzene	ND	1.0	0,005	4-Isopropyl toluene	ND	1.0	0.005
Methyl-t-butyl ether (MTBE)	מא	1.0	0.005	Methylene chloride	ND	1.0	0.005
4-Methyl-2-pentanone (MIBK)	ND	1.0	0.005	Naphthalene	ďИ	1.0	0.005
Nitrobenzene	ND	1.0	0.1	n-Propyl benzene	ND .	1.0	0.005
Styrene	ND	1.0	0.005	1.1.1.2-Tetrachloroethane	ND	1.0	0.005
1.1.2.2-Tetrachloroethane	ND	1.0	0.005	Tetrachloroethene	ND	1,0	0.005
Toluene	ИD	1.0	0,005	1,2:3-Trichlorobenzene	ND	1.0	0.005
1.2.4-Trichlorobenzene	ND	1.0	0.005	1.1.1-Trichloroethane	ND	1.0	0.005
1.1.2-Trichloroethane	ND	1.0	0.005	Trichloroethene	ND	1.0	0.005
Trichlorofluoromethane	ND .	1.0	0.005	1,2,3-Trichloropropane	ND	1.0	0.005
1.2.4-Trimethylbenzene	ND	1.0	0.005	The state of the s	ND	1.0	0.005
Vinyl Chloride	מא	10	0.005	Xvienes	מא	1.0	10.005
		Surr	ogate Re	ecoveries (%)			
%SS1:		<b>)</b> ]		%SS2:	Į.	01	
		CA.		1		,	

%883

ND means not detected above the reporting limit; N/A means analyte not applicable to this analysis.

# surrogate diluted out of range or coelutes with another peak; &) low surrogate due to matrix interference.

h) lighter than water immiscible sheen/product is present; i) liquid sample that contains greater than ~1 vol. % sediment; j) reporting limit raised due to high organic content/matrix interference; k) reporting limit near, but not identical to our standard reporting limit due to variable Encore sample weight; m) reporting limit raised due to insufficient sample amount; n) results are reported on a dry weight basis; p) see attached narrative.

<sup>\*</sup> water and vapor samples are reported in µg/L, soil/sludge/solid samples in mg/kg, product/oil/non-aqueous liquid samples and all TCLP & SPLP extracts are reported in mg/L, wipe samples in µg/wipe.

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## McCampbell Analytical, Inc. "When Quality Counts"

1534 Willow Pass Road, Pittsburg, CA 94565-1701 Web: www.mccampbell.com E-mail: main@mccampbell.com Telephone: 877-252-9262 Fax: 925-252-9269

Piers Environmental	Client Project ID: Coliseum Way	Date Sampled:	01/07/08
1330 S. Bascom Avenue, Ste. F		Date Received:	01/07/08
	Client Contact: Joel Greger	Date Extracted:	01/07/08
San Jose, CA 95128	Client P.O.:	Date Analyzed	01/08/08-01/09/08

#### Gasoline Range (C6-C12) Volatile Hydrocarbons as Gasoline with BTEX and MTBE\* Work Order: 0801147 Analytical methods SW8021B/8015Cm Extraction method SW5030B DF % SS Toluene Ethylbenzene Xylenes TPH(g) MTBE Renzene Matrix Client ID Lab ID ND 91 ND ND S ND ND ND B4d9.5 010A 85 ND ND ND 1 ND ND ND S 011A B5d3.5 ug/L NA NA NA 1 Reporting Limit for DF =1; NA NA W NA ND means not detected at or 0.005 0.005 1 mg/Kg 0.005 0.005 0.05 1.0 above the reporting limit

<sup>\*</sup> water and vapor samples and all TCLP & SPLP extracts are reported in µg/L, soil/sludge/solid samples in mg/kg, wipe samples in µg/wipe, product/oil/non-aqueous liquid samples in mg/L.

<sup>#</sup> cluttered chromatogram; sample peak coelutes with surrogate peak.

<sup>+</sup>The following descriptions of the TPH chromatogram are cursory in nature and McCampbell Analytical is not responsible for their interpretation: a) unmodified or weakly modified gasoline is significant; b) heavier gasoline range compounds are significant(aged gasoline?); c) lighter gasoline range compounds (the most mobile fraction) are significant; d) gasoline range compounds having broad chromatographic peaks are significant; biologically altered gasoline?, e) TPH pattern that does not appear to be derived from gasoline (stoddard solvent / mineral spirit?); f) one to a few isolated non-target peaks present; g) strongly aged gasoline or diesel range compounds are significant; h) lighter than water immiscible sheen/product is present; i) liquid sample that contains greater than -1 vol. % sediment; j) reporting limit raised due to high organic / MTBE content; k) TPH pattern that does not appear to be derived from gasoline (aviation gas). m) no recognizable pattern; n) TPH(g) value derived using a client specified carbon range; o) results are reported on a dry weight basis; p) see attached narrative.

McCampbell Analytical,	Inc.
"When Ocality Counts"	

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Web: www.mccampbell.com F-mail: main@mccampbell.com
Telephone: 877-252-9262 Fax: 925-252-9269

Piers Environmental	Client Project ID: Coliseum Way	Date Sampled: 01/07/08
1330 S. Bascom Avenue, Ste. F		Date Received: 01/07/08
Can Your CA 05129	Client Contact: Joel Greger	Date Extracted: 01/07/08
San Jose, CA 95128	Client P.O.:	Date Analyzed 01/08/08

#### Diesel (C10-23) and Oil (C18+) Range Extractable Hydrocarbons with Silica Gel Clean-Up\*

Extraction method: SW35	50C/3630C	Analytical r	nethods: SW8015C	Wor	Work Order: 0801147				
Lab ID	Client ID	Matrix	TPH(d)	TPH(mo)	DF	% SS			
0801147-006A	Comp S1A-D	s	9.9,g	84	5	93			
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Reporting Limit for DF =1;		w	NA	NA	ប្ប	g/L			

<sup>\*</sup> water samples are reported in µg/L, wipe samples in µg/wipe, soil/solid/sludge samples in mg/kg, product/oil/non-aqueous fiquid samples in mg/L, and all DISTLC / STLC / SPLP / TCLP extracts are reported in µg/L.

1.0

mg/Kg

5.0

ND means not detected at or

above the reporting limit

<sup>#</sup> cluttered chromatogram resulting in coeluted surrogate and sample peaks, or, surrogate peak is on elevated baseline, or, surrogate has been diminished by dilution of original extract.

<sup>+</sup>The following descriptions of the TPH chromatogram are cursory in nature and McCampbell Analytical is not responsible for their interpretation: a) unmodified or weakly modified diesel is significant; b) diesel range compounds are significant; no recognizable pattern; c) aged diesel? is significant); d) gasoline range compounds are significant; e) unknown medium boiling point pattern that does not appear to be derived from diesel (asphalt?); f) one to a few isolated peaks present; g) oil range compounds are significant; h) lighter than water immiscible sheen/product is present; i) liquid sample that contains greater than ~1 vol. % sediment; k) kerosene/kerosene range; l) bunker oil; m) fuel oil; n) stoddard solvent/mineral spirit; r) results are reported on a dry weight basis

Table 3 Volatile Organic Compounds in Groundwater 4600-4700 Coliseum Way Site Oakland, California

Boring Identification	Sample Identification	Sample Date	Acetone (µg/L)	1,1- DCE (µg/L)	1,1- DCA (µg/L)	1,2- DCA (µg/L)	1,1,1- TCA (µg/L)	1,1,2- TCA (µg/L)	Toluene (µg/L)	TCE (µg/L)	Ethylbenzene (µg/L)	Xylenes (µg/L)	DIPE (µg/L)	Isopropyl- benzene (µg/L)	All Other VOCs
B-1	B-1-W	6/27/2008	ND (10)	ND (0.5)	0.6	5.4	ND (0.5)	ND (0.5)	41	ND (0.5)	0.6	2.9	14	ND (0.5)	All ND
B-2	B-2-W	6/27/2008	ND (10)	1,0	3.1	1.5	ND (0.5)	ND (0.5)	3.5	ND (0.5)	ND (0.5)	0.5	ND (0.5)	ND (0.5)	Ali ND
8-3	8-3-W	6/27/2008	ND (10)	2.5	11	3.9	7.8	ND (0.5)	1.1	ND (0.5)	ND (0.5)	ND (0.5)	19	ND (0.5)	Ali ND
8-4	B-4-W	6/27/2008	ND (50)	1,000	230	20	540	3,5	2.5	9.0	ND (2.5)	ND (2.5)	2.7	ND (2.5)	All ND
	8-6-W	6/27/2008	ND (10)	ND (0.5)	0.9	1.8	ND (0,5)	ND (0.5)	7,1	ND (0.5)	ND (0.5)	ND (0.5)	1,7	ND (0.5)	All ND
B-6	· · · · · · · · · · · · · · · · · · ·	7/31/2008	12	4.5	5,1	0,9	14	ND (0.5)	ND (0.5)	ND (0.5)	ND (0,5)	ND (0.5)	22	ND (0.5)	All ND
8-9	8-9-W			39	48	ND (3.6)	ND (3.6)	ND (3.6)	9.6	120	340	2.200	6.3	7.3	All ND
8-10	B-10-W	7/31/2008	610		40		12	ND (0.5)	ND (0.5)	ND (0.5)	ND (0.5)	ND (0.5)	ND (0.5)	ND (0.5)	All ND
B-11	8-11-W	7/31/2008	ND (10)	10	1.1	ND (0.5)				<del>}</del>	<del></del>	······································	<u> </u>	NE	N/A
р	otential Vapor Int	rusion ESL <sup>(1)</sup>	150,000,000	18,000	3,400	690	360,000	1,200	530,000	1,800	170,000	160,000	NE	I WE	L N/A

Notes:
(6) = San Francisco Bay Regional Water Quality Control Board (RWQCB) Environmental Screening Level (ESL) for evaluation of potential vapor intrusion concerns (Table E-1).

- Results exceeding groundwater ESLs are shaded

1,1-DCE = 1,1-Dichloroethene

1,1-DCA = 1,1-Dichloroethane

1,2-DCA = 1,2-Dichloroethane

1,1,1-TCA = 1,1,1-Trichloroethane 1,1,2-TCA = 1,1,2-Trichloroethane

TCE = Trichloroethylene DIPE = Isopropyl ether

µg/L = Micrograms per liter

ND (0.5) - Analyte not detected above the stated laboratory reporting limit.

ND = Not detected

NE = Not established

N/A = Not applicable

PES Environmental, Inc.

# Table 3 Summary of UST Excavation Groundwater Sample Analytical Results 4600-4700 Coliseum Way Richmond, California

	T	<del>~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~</del>	.,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,			Organic Analyses						Inorganic Analyses						
Sample Date Petroleum Hydrocarbons						Volatile Organic Compounds							* · · · · · · · · · · · · · · · · · · ·					
Designation	Collected	TPHg (µg/L)	TPHd (µg/L)	TPHmo (µg/L)	Benzene (µg/L)	Toluene (µg/L)	Ethylbenzene (µg/L)	m,p-Xylenes (µg/L)	o-Xylenes (µg/L)	MTBE (µg/L)	Other Fuel Oxygenates (mg/kg)	Cadmium (µg/L)	Chromium (µg/L)	Lead (µg/L)	Nickel (µg/L)	Zinc (µg/L)		
UST-GW1	5/20/2009	68 Y	ND(50)	ND(300)	ND(0.5)	ND(0.5)	ND(0.5)	ND(0.5)	ND(0.5)	ND(0.5)	All ND	ND(5.0)	ND(5.0)	ND(5.0)	9,4	140		
Groundwa	ter ESL <sup>(1)</sup>	210	210	210	46	130	43	100	100	1,800	N/A	0,25	180	2.5	8,2	81		
MCL	.s <sup>(2)</sup>	NE	NE	NE	1.0	150	300	1,750	1,750	13	N/A	5.0	50	15	100	5,000		

#### Notes:

TPHg = Total petroleum hydrocarbons quantified as gasoline

TPHd = Total petroleum hydrocarbons quantified as diesel with silica gel cleanup (with silica gel cleanup)

TPHmo = Total petroleum hydrocarbons quantified as motor oil with silica gel cleanup (with silica gel cleanup)

MTBE = Methyl-tert-butyl ether

NE = Not established

µg/L = Micrograms per liter

ND(50) = Compound not detected at or above the indicated laboratory reporting limit

Y = Sample exhibits chromatographic pattern which does not resemble standard

(1) = San Francisco Bay Regional Water Quality Control Board (RWQCB) Environmental Screening Level (ESL) where groundwater is not a current or potential drinking water resource.

(2) = State of California drinking water Maximum Contaminant Levels (MCLs)

- Exceeds groundwater ESL and/or MCL

#### TABLE 1

#### GROUNDWATER ANALYTICAL RESULTS

4700 Coliseum Way, Oakland, CA

Samples collected on 1-7-08.

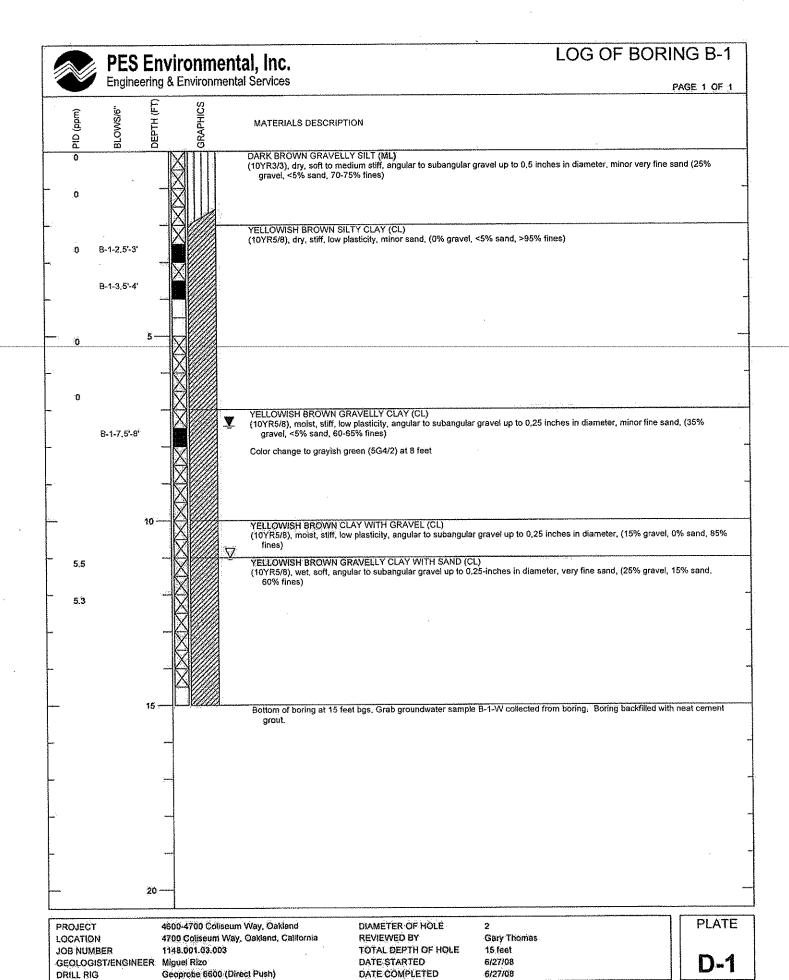
								45.4.55		ļ		
Sample No	TPH-gas (ppb)	TPH-diesel (ppb)	TPH-motor oil	1,1-DCA (ppb)	1,1-DCE (ppb)	1,1,2-TCA (ppb)	1,1,1-TCA (ppb)	TCE (ppb)	I,2-DCA (ppb)	cis-1,2-DCE (ppb)	Toluene (ppb)	DIPE (ppb)
B1 water	NA	<50	<250	310	38	17	1200*	<12	<12	<12	<12	<12
B2 water	'nΑ	95	<250	9.2	18	<0.5	1.8	<0.5	<0.5	<0.5	<0.5	< 0.5
B3 water	NA	<50	<250	1.5	<0.5	<0.5	<0,5	1.7	3.3	1.0	1.3	2.6
B4 water	<50	NΑ	NA	<0.5	<0.5	<0.5	< 0.5	<0.5	<0.5	<0,5	1,3	< 0.5
B5 water	<50	NA	NA	<0.5	<0,5	<0.5	<0.5	<0.5	<0.5	<0.5	0.70	<0.5
ESL	100/5000	100/2500	100/2500	5.2/100	6.0/6300	5.0/350	200/200	5.0/530	0.5/200	6.0/6200	40/400	

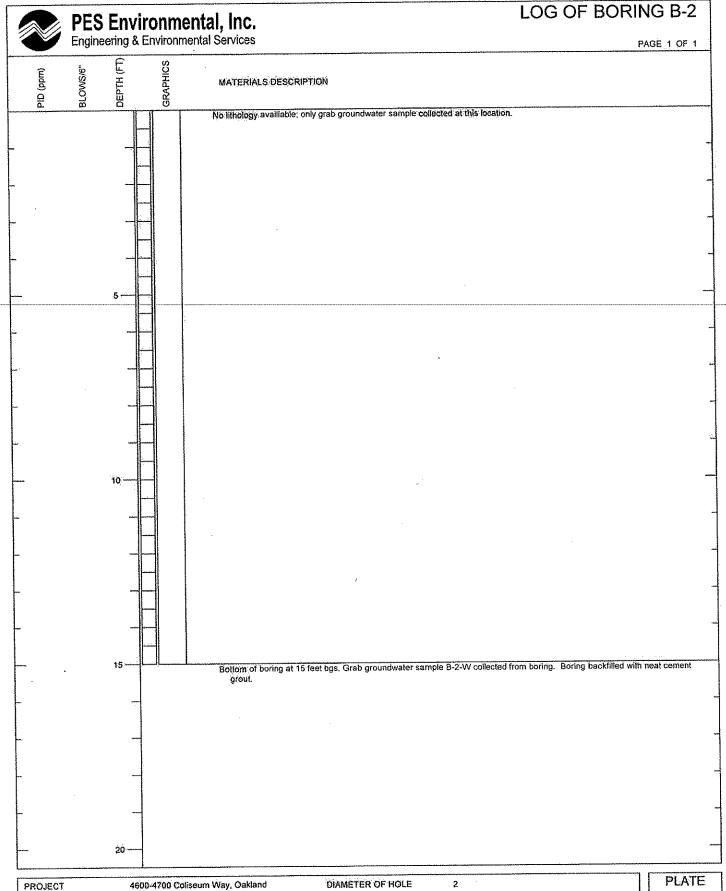
#### EXPLANATION:

ppb = parts per billion DCA = dichloroethane, DCE = dichloroethene, TCA = Trichloroethane, TCE = Trichloroethene, DIPE = Diisopropyl ether.

NA = not analyzed. TPH = Total Petroleum Hydrocarbons. \* 0.061 ppm of 1.1,1-TCA was detect ted in soil from B1 at 2.5'.

ESL - Environmental Screening Level - groundwater is/is not considered a resource, Tables A/B,





LOCATION JOB NUMBER GEOLOGIST/ENGINEER Miguel Rizo

DRILL RIG

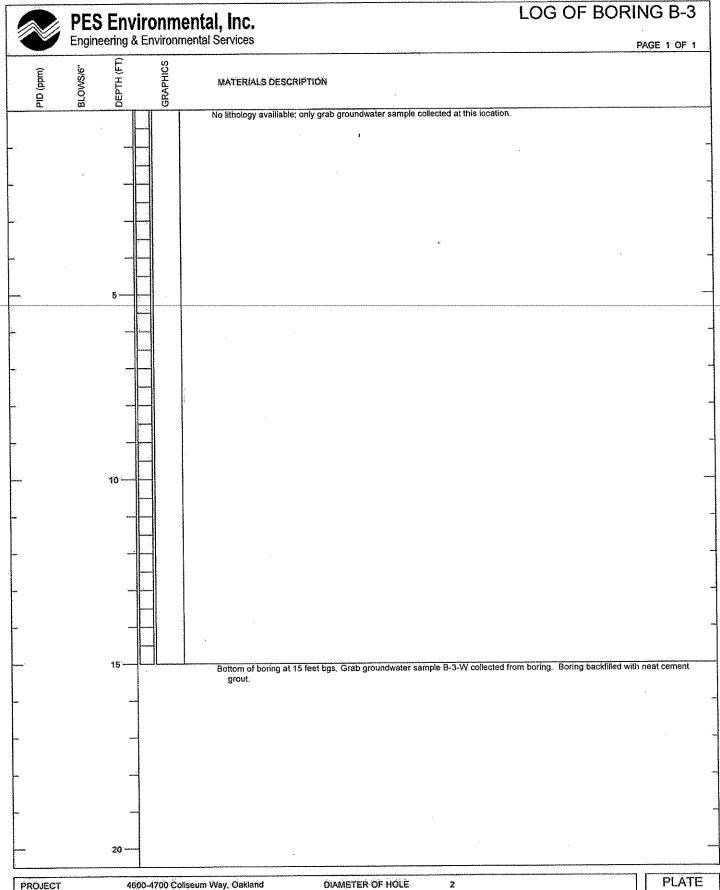
4600-4700 Coliseum Way, Oakland 4700 Colliseum Way, Oakland, California

1148.001.03.003

Geoprobe 6600 (Direct Push)

REVIEWED BY TOTAL DEPTH OF HOLE DATE STARTED DATE COMPLETED

Gary Thomas 15 feet 6/27/08 6/27/08



LOCATION JOB NUMBER GEOLOGIST/ENGINEER Miguel Rizo

DRILL RIG

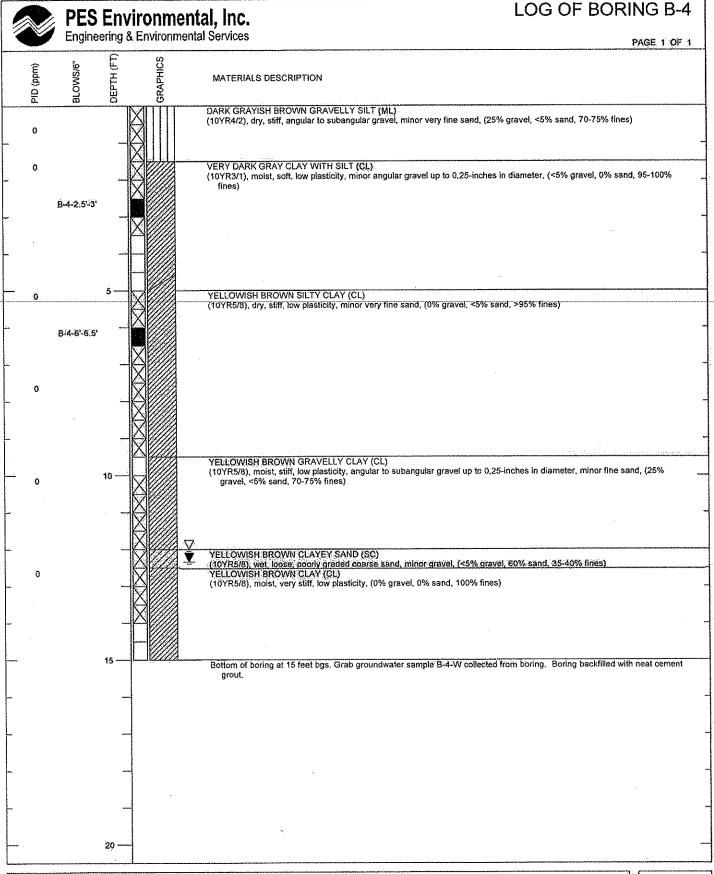
4600-4700 Coliseum Way, Oakland 4700 Coliseum Way, Oakland, California

1148,001,03,003

Geoprobe 6600 (Direct Push)

REVIEWED BY TOTAL DEPTH OF HOLE DATE STARTED DATE COMPLETED

Gary Thomas 15 feet 6/27/08 6/27/08



PROJECT 4600-4700 C LOCATION 4700 CONSE JOB NUMBER 1148:001.03 GEOLOGIST/ENGINEER Miguel Rizo

DRILL RIG

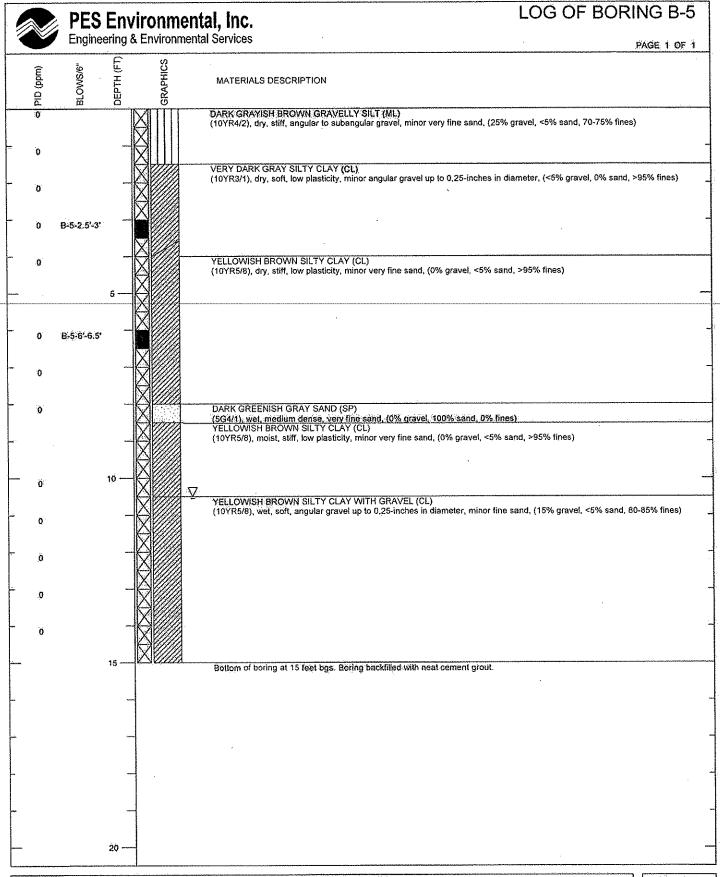
4600-4700 Collseum Way, Oakland 4700 Collseum Way, Oakland, California

4700 Coliseum Way, Oakland, Califori 1148.001.03:003

Geoprobe 6800 (Direct Push)

DIAMETER OF HOLE REVIEWED BY TOTAL DEPTH OF HOLE DATE STARTED DATE COMPLETED

2 Gary Thomas 15 feet 6/27/06 6/27/08 PLATE



PROJECT 4600-4700 C LOCATION 4700 Collised JOB NUMBER 1148.001.03 GEOLOGIST/ENGINEER Miguel Rizo

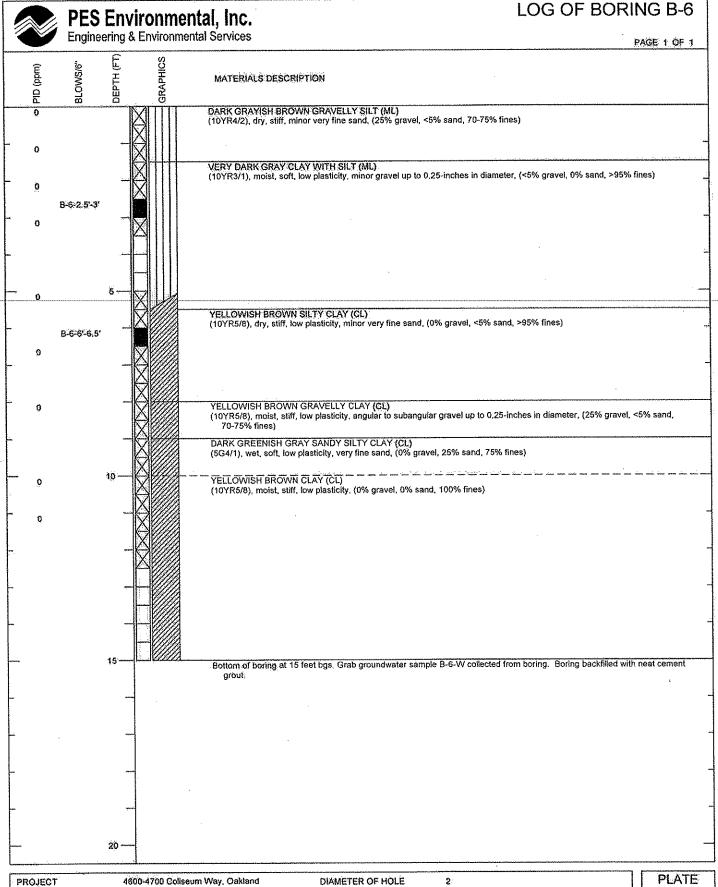
**DRILL RIG** 

4600-4700 Collseum Way, Oakland 4700 Collseum Way, Oakland, California

Geoprobe 6600 (Direct Push)

4700 Colliseum Way, Oakland, California REVI 1148.001.03.003 TOT. Miquel Rizo DATI

DIAMETER OF HOLE REVIEWED BY TOTAL DEPTH OF HOLE DATE STARTED DATE COMPLETED 2: Gary Thomas 15 feet 6/27/08 6/27/08 PLATE



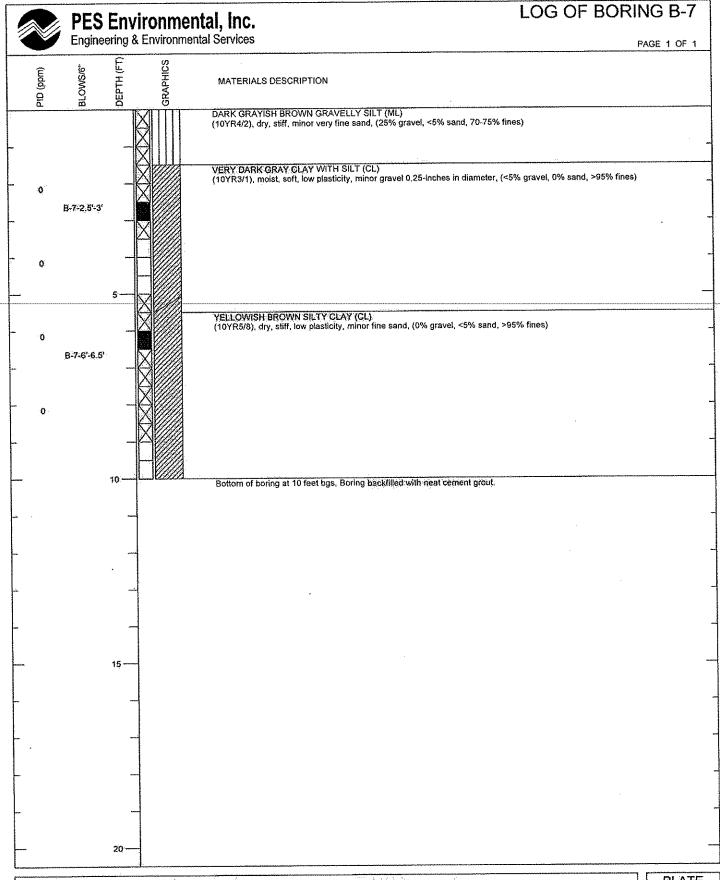
LOCATION 4700 Collegum Way, Oakland, California
JOB NUMBER 1148:001.03:003

Geoprate 6600 (Direct Push)

GEOLOGIST/ENGINEER Miguel Rizo

DRILL RIG

REVIEWED BY TOTAL DEPTH OF HOLE DATE STARTED DATE COMPLETED 2 Gary Thomas 15 feet 6/27/08 6/27/08



PROJECT LOCATION JOB NUMBER GEOLOGIST/ENGINEER Miguel Rizo DRILL RIG

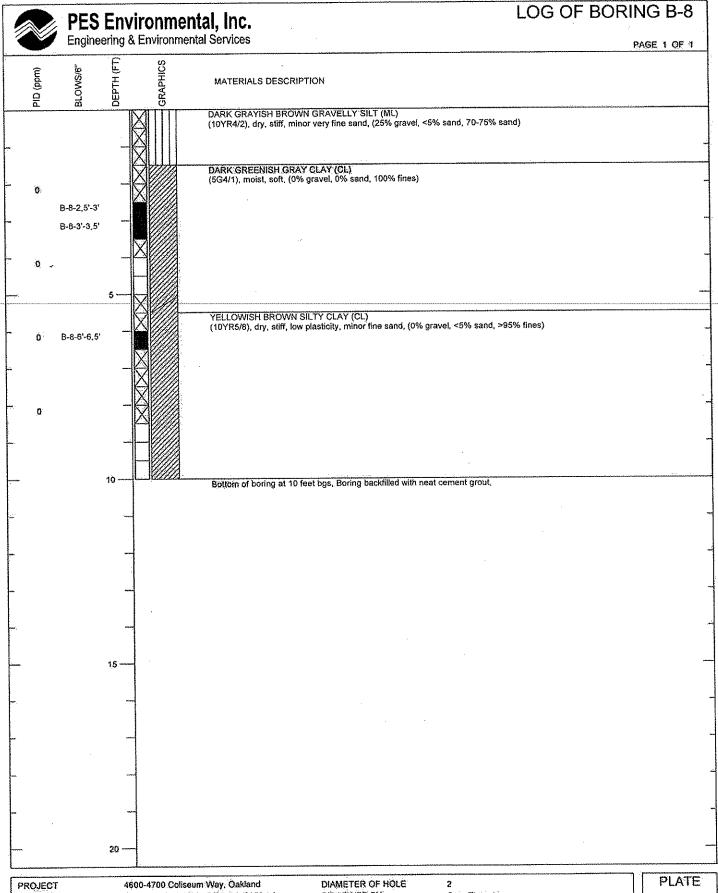
4600-4700 Collseum Way, Oakland 4700 Coliseum Way, Oakland, California

Geoprobe 6600 (Direct Push)

1148.001.03.003

DIAMETER OF HOLE REVIEWED BY TOTAL DEPTH OF HOLE DATE STARTED DATE COMPLETED

**Gary Thomas** 10 feet 6/27/08 6/27/08



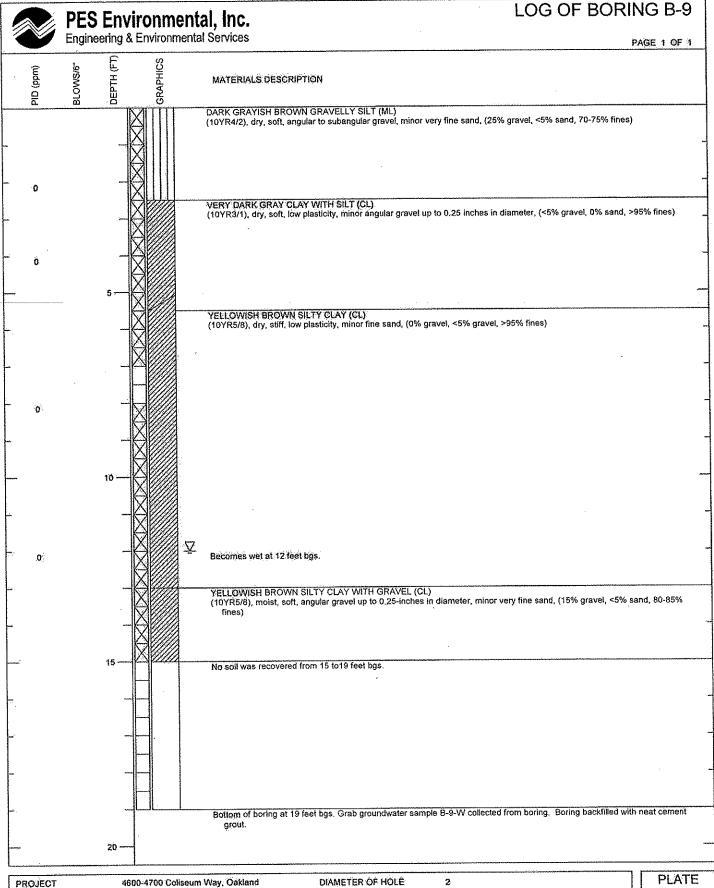
PROJECT 4600-4700.0
LOCATION 4700 Collect
JOB NUMBER 1148:001.03
GEOLOGIST/ENGINEER Miguel Rizo

DRILL RIG

4600-4700 Coliseum Way, Oakland 4700 Collseum Way, Oakland, California

1148:001.03.003 Miguel Rizo Geoprobe 6600 (Direct Push) DIAMETER OF HOLE
REVIEWED BY
TOTAL DEPTH OF HOLE
DATE STARTED
DATE COMPLETED

2 Gary Thomas 10 feet 6/27/08 6/27/08



LOCATION JOB NUMBER GEOLOGIST/ENGINEER Miguel Rizo DRILL RIG

4700 Coliseum Way, Oakland, California 1148.001.03.003

Geoprobe 5410 (Direct Push)

REVIEWED BY TOTAL DEPTH OF HOLE DATE STARTED DATE COMPLETED

**Gary Thomas** 19 feet 7/31/08 7/31/08

	PES	Env	ironment Environment	tal, Inc.  LOG OF BORING B-10	-
Y	Engine		Environment	al Services PAGE 1 OF 1	4
PID (ppm)	BLOWS/6"	ОЕРТН (FT)	GRAPHICS	MATÉRIALS DESCRIPTION	
	-	-		DARK GRAYISH BROWN GRAVELLY SILT (ML) (10YR4/2), dry, soft, angular to subangular gravel, minor very fine sand, (25% gravel, <5% sand, 70-75% fines)	1
0				VERY DARK GRAY CLAY WITH SILT (CL) (10YR3/1), dry, soft, low plasticity, minor angular gravel up to 0.25-inches in diameter, (<5% gravel, 0% sand, >95% fines)	1 1 1
		5		YELLOWISH BROWN SILTY CLAY (CL)	
			X	(10YR5/8), dry, stiff, low plasticity, minor fine sand. (0% gravel, <5% sand, >95% fines)	_
-		10		YELLOWISH BROWN GRAVELLY CLAY (CL)	
				(10°/R5/8), moist to wet, stiff, low plasticity, subrounded to angular gravel up to 0.25 inches in diameter, minor sand, (25% gravel, <5% sand, 70-75% fines)	
					<b></b>
		15		YELLOWISH BROWN SILTY CLAY WITH GRAVEL (CL) (10YR5/8), moist to wet, soft, angular gravel up to 0,25 inches in diameter, minor very fine send, (15% gravel, <5% sand, 80-85% fines)	
		**************************************		Bottom of boring at 16 feet bgs, Grab groundwater sample B-10-W collected from boring. Boring backfilled with neat cement grout.	
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		20 —			

PROJECT 4600-4700 C LOCATION 4700 College JOB NUMBER 1148.001.03 GEOLOGIST/ENGINEER Miguel Rizo DRILL RIG Geoprobe 5-

4600-4700 Collseum Way, Oakland 4700 Collseum Way, Oakland, California

Geoprobe 5410 (Direct Push)

4700 Collseum Way, Oakland, Californ 1148.001.03.003 DIAMETER OF HOLE REVIEWED BY TOTAL DEPTH OF HOLE DATE STARTED DATE COMPLETED 2 Gary Thomes 16 feet 7/31/08 7/31/08 PLATE

	PES En	vironment	al. Inc. LOG OF BORIN	G B-11
	Engineering	& Environmenta	l Canicas	PAGE 1 OF 1
PID (ppm)	BLOWS/6" DEPTḤ (FT)	GRAPHICS	MATERIALS DESCRIPTION	
-	-		DARK GRAYISH BROWN GRAVELLY SILT (ML) (10YR4/2), dry, stiff, angular to subrounded gravel, (25% gravel, <5% sand, 70-75% fines)	
• • • • • • • • • • • • • • • • • • •	ъ ъ		VERY DARK GRAY CLAY WITH SILT (CL) (10YR3/1), moist, soft, low plasticity, minor angular gravel up to 0.25-inches in diameter, (<5%, 0% sand, >95%	fines)
· 10.	-		YELLOWISH BROWN SILTY CLAY (CL) (10YR5/4), dry, stiff, low plasticity, minor very fine sand, (0% gravel, <5% sand, >95% fines)	
•			YELLOWISH BROWN GRAVELLY CLAY (Ct) (10YR5/6), moist, stiff, angular to subrounded gravel up to 0.25-inches in diameter, minor very fine sand, (25% sand, 70-75% fines)	gravel, <5%
enterior	10			·
		Ž Į Į	YELLOWISH BROWN CLAYEY SAND (SP) (10YR5/8), wet, loose, coarse sand, minor gravel, (<5% gravel, 60% sand, 35-40% fines)	
	15'~~		YELLOWISH BROWN CLAY (CL) (10YR5/8), moist, very stiff, low plasticity, (0% gravel, 0% sand, 100% fines)	
		V NVIII	Bottom of boring at 16 feet bgs, Grab groundwater sample B-11-W collected from boring, Boring backfilled wit gröut.	h neat cement –
				-
	20 -			Personal
PROJECT LOCATION		1600-4700 Collseum 1700 Collseum Way,		PLATE

TOTAL DEPTH OF HOLE

DATE STARTED

DATE COMPLETED

16 feet 7/31/08 7/31/08

4700 Coliseum Way, Oakland, California

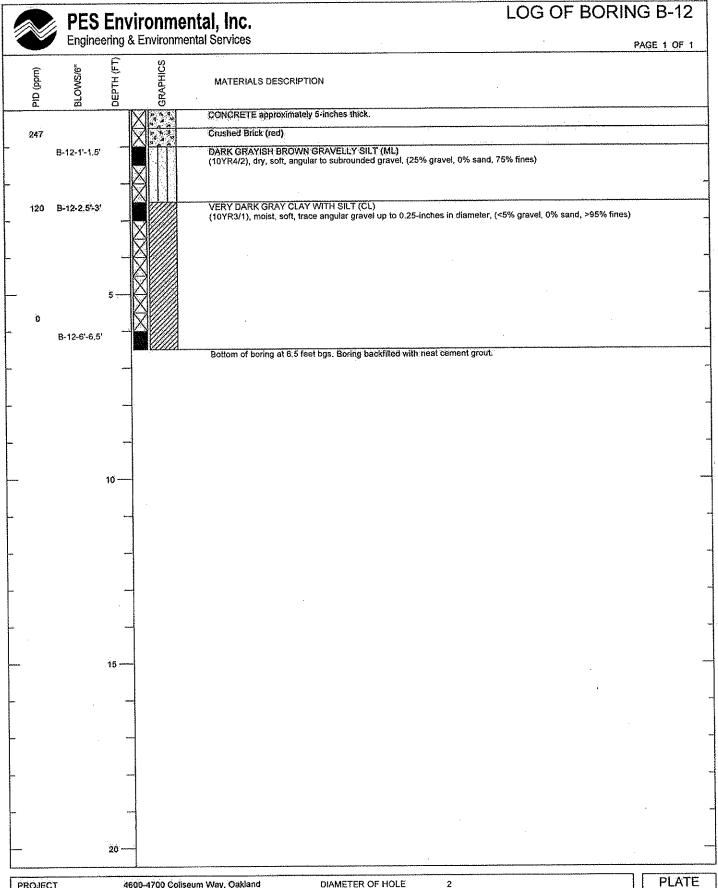
Geoprobe 5410 (Direct Push)

1148.001.03.003

LOCATION JOB NUMBER

DRILL RIG

GEOLOGIST/ENGINEER Miguel Rizo



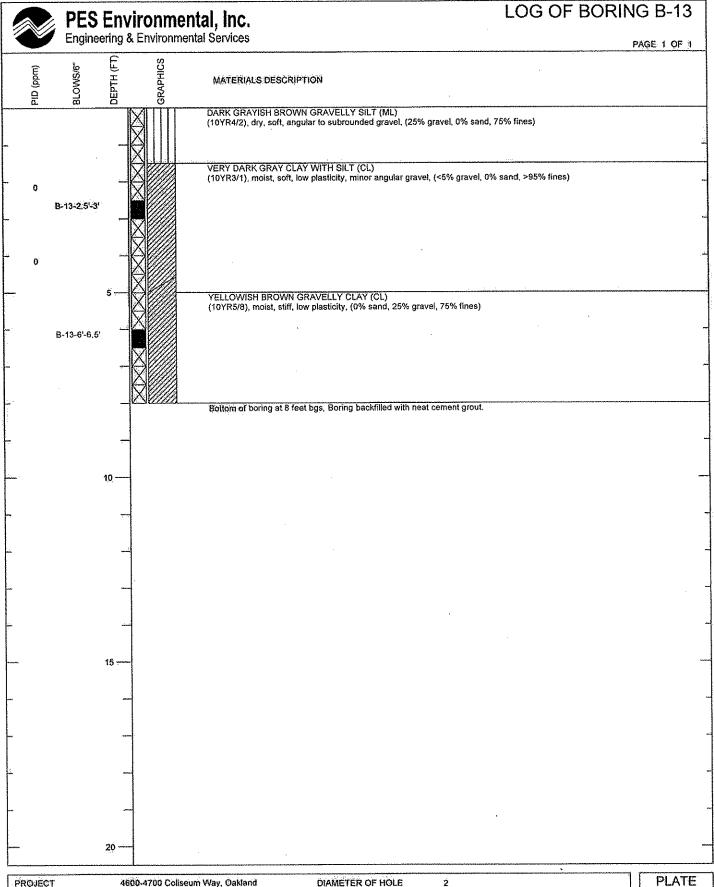
PROJECT LOCATION JOB NUMBER GEOLOGIST/ENGINEER Miguel Rizo DRILL RIG

4600-4700 Coliseum Way, Oakland 4700 Coliseum Way, Oakland, California 1148.001.03.003

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REVIEWED BY TOTAL DEPTH OF HOLE DATE STARTED DATE COMPLETED

Gary Thomas 6,5 feet 7/31/08 7/31/08



LOCATION JOB NUMBER GEOLOGIST/ENGINEER Miguel Rizo

DRILL RIG

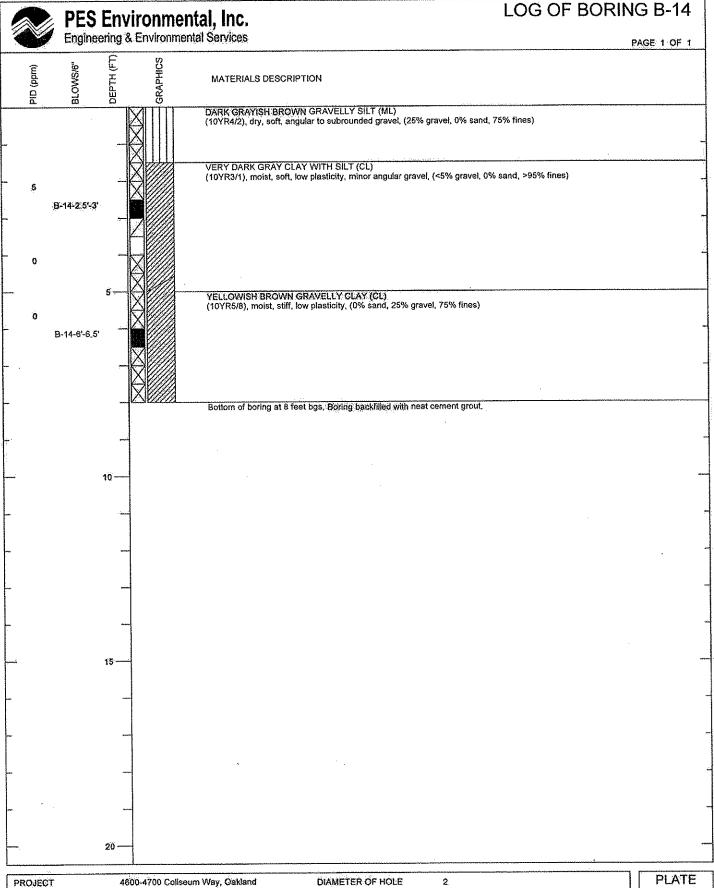
4600-4700 Coliseum Way, Oakland 4700 Coliseum Way, Oakland, California

1148.001.03,003

Geoprobe 5410 (Direct Push)

DIAMETER OF HOLE REVIEWED BY TOTAL DEPTH OF HOLE DATE STARTED DATE COMPLETED

Gary Thomas 8 feet 7/31/08 7/31/08



PROJECT 4600-4700 C LOCATION 4700 Colliser JOB NUMBER 1148.001.03 GEOLOGIST/ENGINEER Miguel Rizo

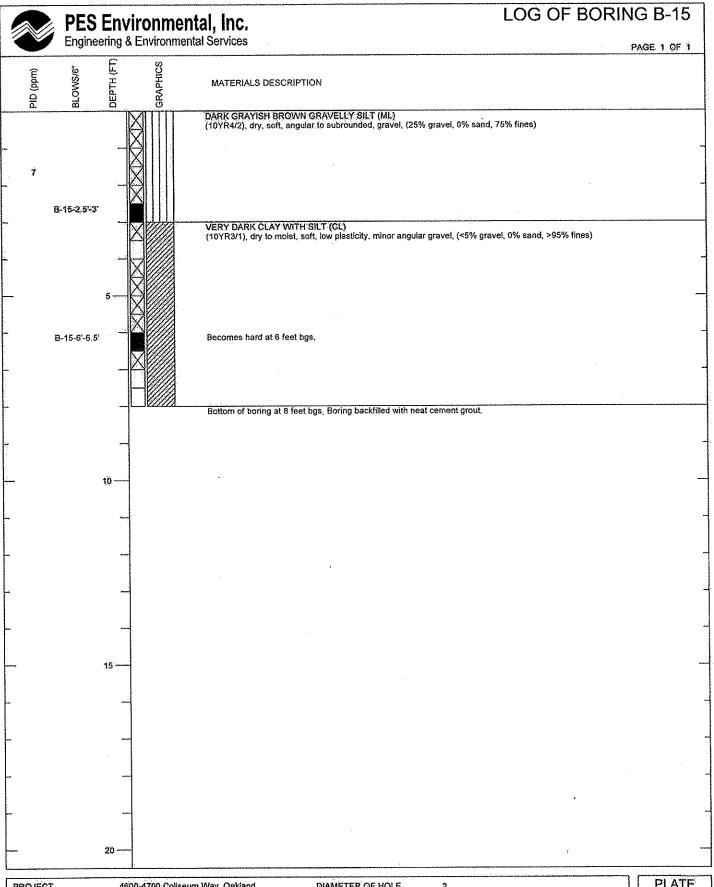
DRILL RIG

4600-4700 Coliseum Way, Oakland 4700 Coliseum Way, Oakland, California

1148.001.03.003

Geoprobe 5410 (Direct Push)

DIAMETER OF HOLE REVIEWED BY TOTAL DEPTH OF HOLE DATE STARTED DATE COMPLETED 2. Gary Thomas 8 feet 7/31/08 7/31/08



**PROJECT** LOCATION JOB NUMBER GEOLOGIST/ENGINEER Miguel Rizo DRILL RIG

4600-4700 Collseum Way, Oakland 4700 Collseum Way, Oakland, California

1148.001.03.003

Geoprobe 5410 (Direct Push)

DIAMETER OF HOLE REVIEWED BY TOTAL DEPTH OF HOLE DATE STARTED DATE COMPLETED

**Gary Thomas** B feet 7/31/08 7/31/08

	PESE	nv	ironment	al. Inc. LOG OF BORING B-16
	Engineer		ironment	Services PAGE 1 OF 1
PID (ppm)	BLOWS/6"	DEPTH (FT)	GRAPHICS	MATERIALS DESCRIPTION
		_		YELLOWISH BROWN SILTY GRAVEL (GM) 19YR 5/4, dry, loose, angular gravel up to 1-inch in diameter, (70% gravel, 0% sand, 30% fines)
				[Sample ID: B-16-0.5]
<del></del>				Change in color to REDDISH YELLOW (7,5YR 6/6) at 1 foot bgs, moist, loose, angular to subangular gravel up to 3/4-inch in diameter, (80% gravel, trace sand, 20% fines)
<u>-</u>				DARK GRAYISH BROWN SILTY CLAY (CL) 10YR 4/2, wet, soft, trace fine gravel, (trace gravel, 0% sand, 100% fines), low plasticity
<del></del> .				Change in color to DARK BROWN (10YR 4/3) at 2.75 feet bgs, dry to moist, medium stiff, (0% gravel, 0% sand, 100% fines)
_	-			Bottom of borehole at 4 feet bgs. Borehole backfilled with neat cement grout.
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PROJECT 4600-4700 Collse
LOCATION 4700 Collseum W
JOB NUMBER 1148.001.03.010
GEOLOGIST/ENGINEER Chris Baldassari
Direct Push Rig

4600-4700 Collseum Way, Oakland 4700 Collseum Way, Oakland, California 1148-001-03-010

REVIEWED BY TOTAL DEPTH OF HOLE DATE STARTED DATE COMPLETED

DIAMETER OF HOLE

2 GDT 4 feet 3/27/09 3/27/09 PLATE

C-1

	PFS	Envi	ironmental. Inc.	LOG OF BORING B-17
	Engine	ering &	ironmental, Inc. Environmental Services	PAGE 1 OF 1
РІВ (ррт)	BLOWS/6"	ОЕРТН (FT)	SRAI	LS DESCRIPTION
		N	YELLOWIS 10YR 5/4,	H.BROWN SILTY GRAVEL (GM) Iry, loose, angular gravel up to 1-inch in diameter, (70% gravel, 0% sand, 30% fines)
			Sample ID	: B-17-0.5]
-			Color chan	ge to REDDISH YELLOW (7.5YR 6/6) at 1 foot bgs, moist, loose, angular to subangular gravel up to 3/4-irich in r, (80% gravel, trace sand, 20% fines)
ve			DARK GR/ 10YR 4/2,	AYISH BROWN SILTY CLAY (CL) wet, soft, trace fine gravel, (trace gravel, 0% sand, 100% fines), low plasticity -
<del>.</del>			Change in fines)	color to DARK BROWN (10YR 4/3) at 2,75 feet bgs, dry to moist, medium stiff, (trace gravet, 0% sand, 100%
<u>.</u>				borehole at 4 feet bgs. Borehole backfilled with neat cement grout,
			BUKUHI OI	botenide at 4 jegit ugs. Dotensie backilles kill kless som at grand
		5		'nimen'
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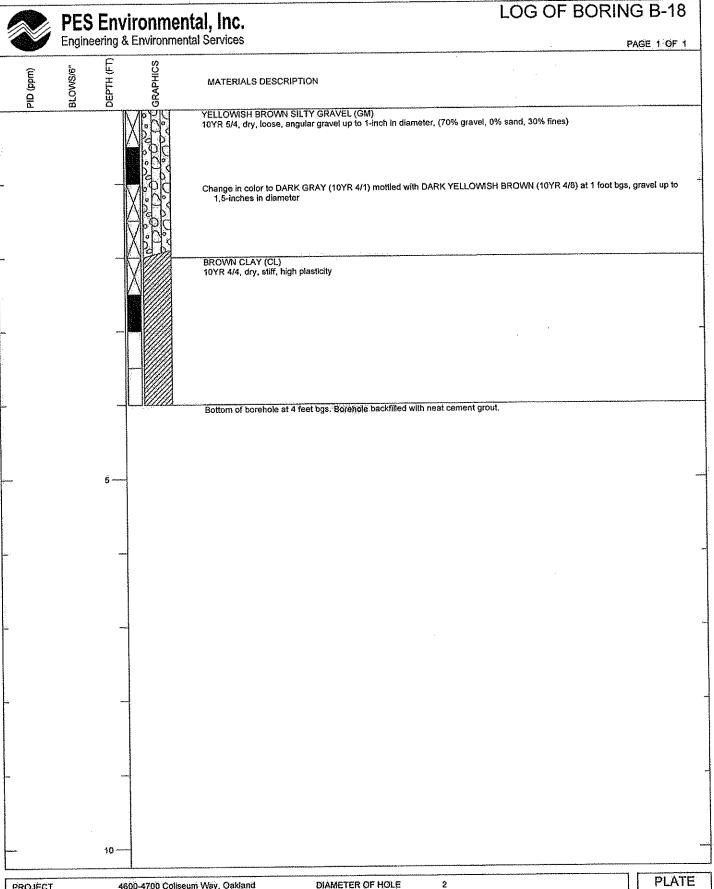
PROJECT LOCATION JOB NUMBER 1148.001.03.010 GEOLOGIST/ENGINEER Chris Baldassari DRILL RIG

4600-4700 Coliseum Way, Oakland 4700 Coliseum Way, Oakland, California

1148.001.03.010 Direct Push Rig

DIAMETER OF HOLE REVIEWED BY TOTAL DEPTH OF HOLE DATE STARTED DATE COMPLETED

2 GDT 4 feet 3/27/09 3/27/09



PROJECT LOCATION JOB NUMBER GEOLOGIST/ENGINEER Chris Beldassari

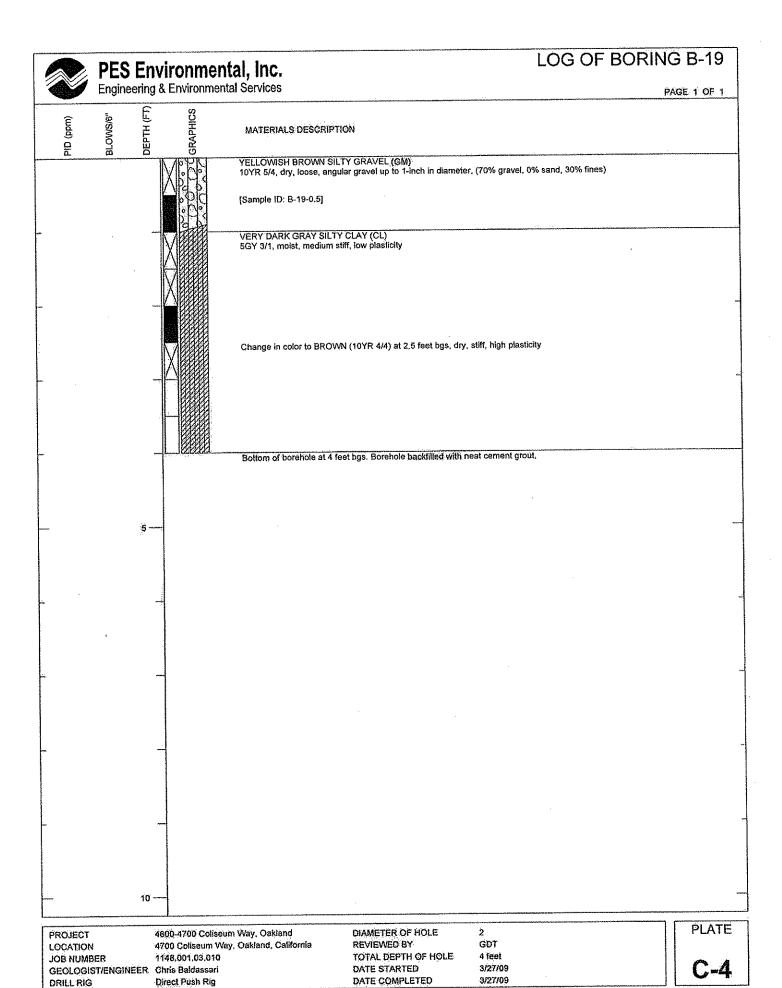
DRILL RIG

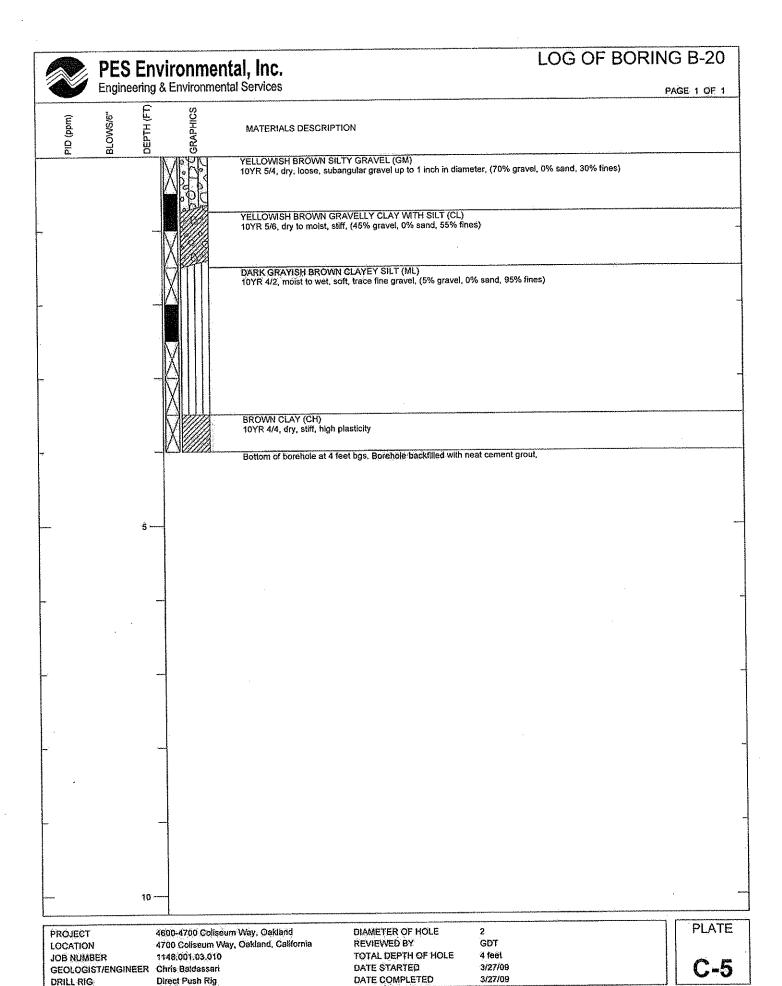
4600-4700 Coliseum Way, Oakland 4700 Collseum Way, Oakland, California 1148,001,03,010

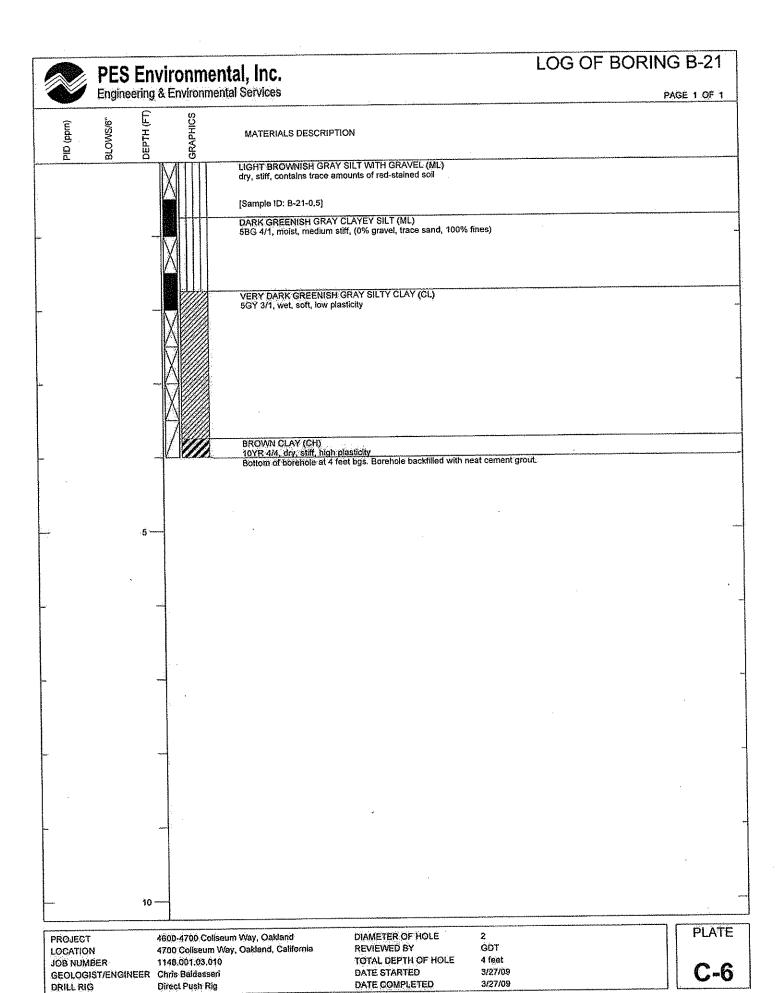
Direct Push Rig

REVIEWED BY TOTAL DEPTH OF HOLE DATE STARTED DATE COMPLETED

2 GDT 4 feet 3/27/09 3/27/09







	PFS	Fnvi	ronment	al. Inc. LOG OF BORING B-22
	Engine	ering &	ronment Environment	al Services PAGE 1 OF 1
PIO (ppm)	BLOWS/6"	DEPTH (FT)	GRAPHICS	MATERIALS DESCRIPTION
	<del></del>	N		YELLOWISH BROWN SILTY GRAVEL (GM) 10YR 5/4, dry, loose, angular gravel up to 1-inch in diameter, (70% gravel, 0% sand, 30% fines)
		K		Change in color to DARK YELLOWISH BROWN (10YR 4/6), moist, angular to subangular gravel up to 3/4-inch in diameter, (80% gravel, trace sand, 20% fines), trace clay
••				[Sample ID: B-22-1.0]
<b>∸</b>				VERY DARK GREENISH GRAY CLAYEY SILT (ML) 5GY 3/1, moist, medium stiff, trace fine gravel, (trace gravel, 0% sand, 100% fines), hydrocarbon odor
			XIIII	
				BROWN CLAY (CH) 10YR 4/4, dry, stiff, high plasticity
ma.				Bottom of borehole at 4 feet bgs. Borehole backfilled with neat cement grout.
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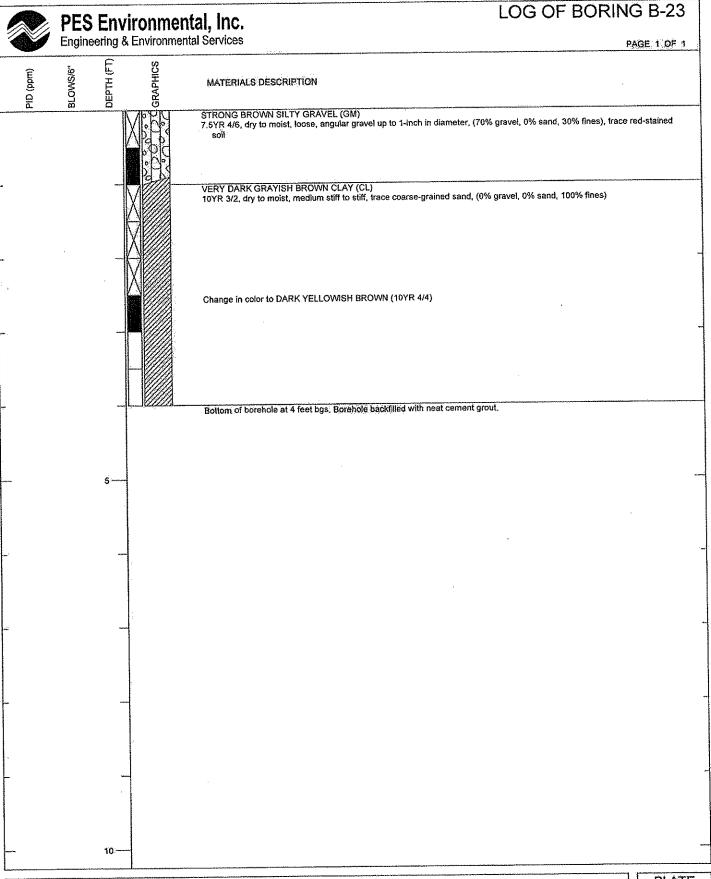
PROJECT 4600-4700 Colliser
LOCATION 4700 Colliser
JOB NUMBER 1148.001.03.010
GEOLOGIST/ENGINEER Chris Baldassari DRILL RIG

4600-4700 Coliseum Way, Oakland 4700 Coliseum Way, Oakland, California

Direct Push Rig

DIAMETER OF HOLE REVIEWED BY TOTAL DEPTH OF HOLE DATE STARTED DATE COMPLETED

2 GDT 4 feet 3/27/09 3/27/09



PROJECT LOCATION JOB NUMBER GEOLOGIST/ENGINEER Chris Baldassari DRILL RIG

4600-4700 Coliseum Way, Oakland 4700 Coliseum Way, Oakland, California

1148,001,03.010 Direct Push Rig

DIAMETER OF HOLE REVIEWED BY TOTAL DEPTH OF HOLE DATE STARTED DATE COMPLETED

GDT 4 feet 3/27/09 3/27/09

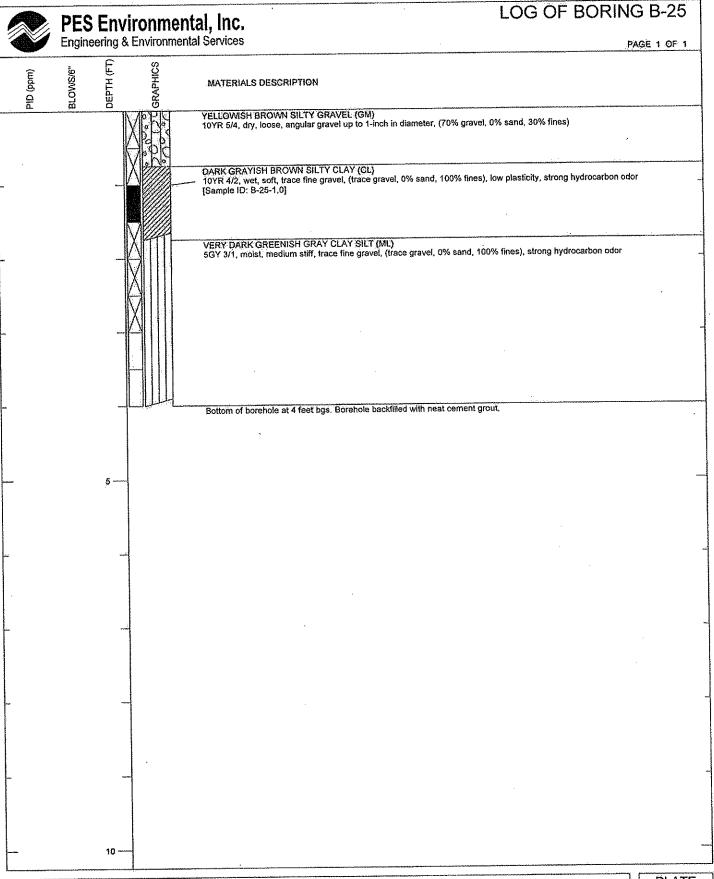
	PFS	Envi	ronment	al. Inc. LOG OF BORING B-24
	Engine	ering &	ronmenta Environmenta	Services PAGE 1 OF 1
PID (ppm)	BLOWS/6"	ОЕРТН (FT)	GRAPHICS	MATERIALS DESCRIPTION
tone			AP. FIS	STRONG BROWN SILTY GRAVEL (GM) 7.5YR 4/6, dry to moist, loose, angular gravel up to 1-inch in diameter, (70% gravel, 0% sand, 30% fines), trace red-stained soil
		\/ 		[Sample ID: 8-24-0.5]
·			X	VERY DARK GRAYISH BROWN CLAY (CL) 10YR 3/2, dry to moist, medium stiff to stiff, trace coarse-grained sand, (0% gravel, 0% sand, 100% fines)
-				Change in color to DARK YELLOWISH BROWN (10YR 4/4)
·		5		Bottom of borehole at 4 feat bgs. Borehole backfilled with neat cement grout,
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PROJECT 4600-4700 Colise
LOCATION 4700 Coliseum V
JOB NUMBER 1148:001.03.010
GEOLOGIST/ENGINEER Chris Baldassarl
DRILL RIG. Direct Push Rig

4600-4700 Coliseum Way, Oakland 4700 Coliseum Way, Oakland, California 1148:001.03:010 DIAMETER OF HOLE REVIEWED BY TOTAL DEPTH OF HOLE DATE STARTED DATE COMPLETED 2 GDT 4 feet 3/27/09 3/27/09

PLATE

C-9



PROJECT LOCATION JOB NUMBER GEOLOGIST/ENGINEER Chris Baldassari

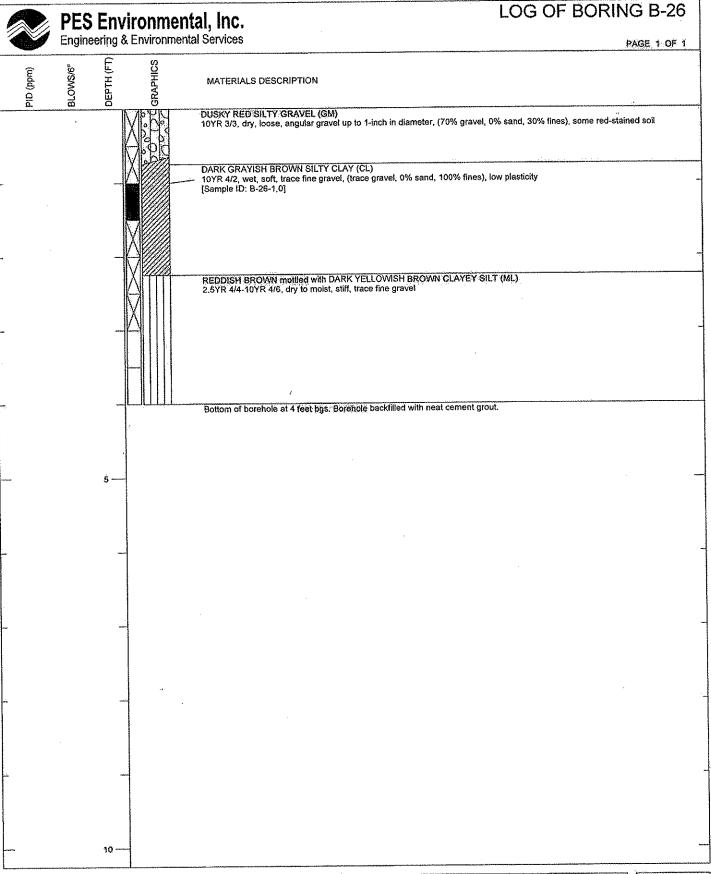
DRILL RIG

4600-4700 Collseum Way, Oakland 4700 Collseum Way, Oakland, California

1148.001.03.010 Direct Push Rig

DIAMETER OF HOLE **REVIEWED BY** TOTAL DEPTH OF HOLE DATE STARTED DATE COMPLETED

GDT 4 feet 3/27/09 3/27/09



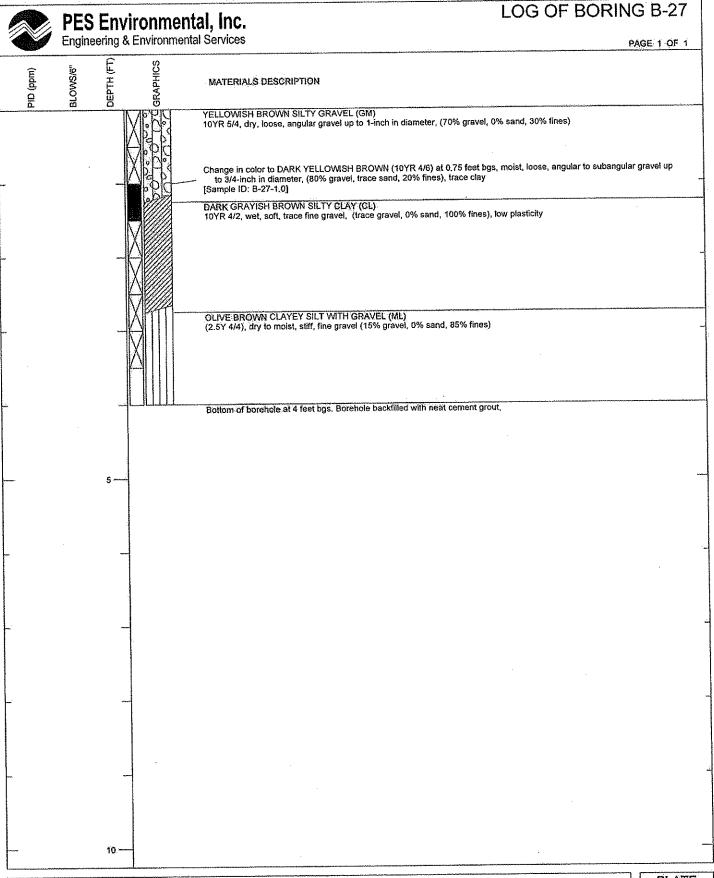
PROJECT 4600-4700 Collise
LOCATION 4700 Colliseum V
JOB NUMBER 1148,001,03.010
GEOLOGIST/ENGINEER Chris Baldassari

DRILL RIG

4600-4700 Coliseum Way, Oakland 4700 Coliseum Way, Oakland, California

1148,001.03.010 Chris Beldassari Direct Push Rig DIAMETER OF HOLE REVIEWED BY TOTAL DEPTH OF HOLE DATE STARTED DATE COMPLETED 2 GDT 4 feet 3/27/09 3/27/09 PLATE

C-11



PROJECT LOCATION JOB NUMBER GEOLOGIST/ENGINEER Chris Baldassari DRILL RIG

4600-4700 Coliseum Way, Oakland 4700 Coliseum Way, Oakland, California

1148,001,03.010 Direct Push Rig

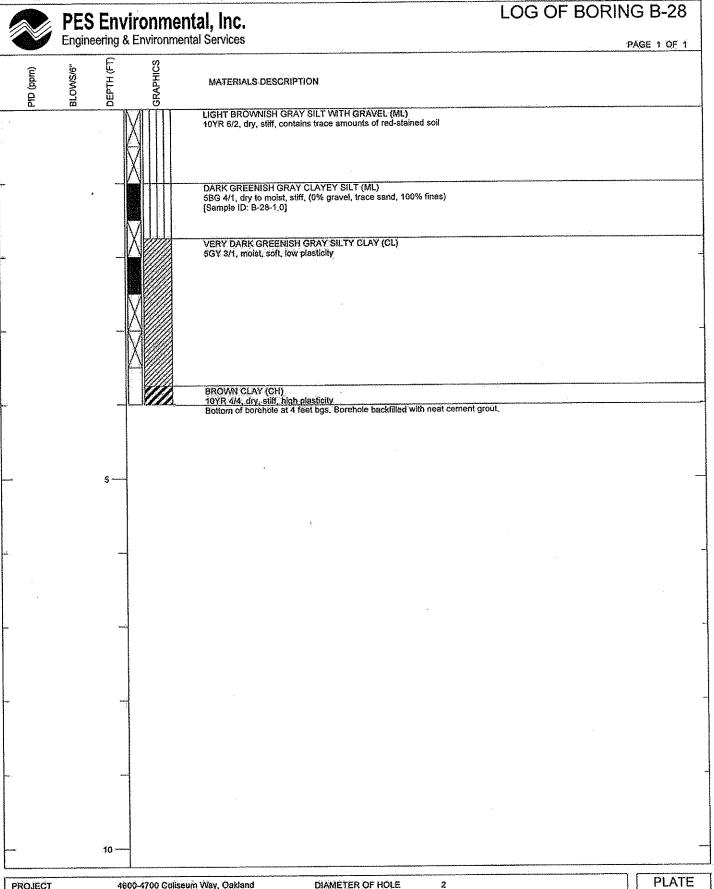
DIAMETER OF HOLE REVIEWED BY TOTAL DEPTH OF HOLE DATE STARTED DATE COMPLETED

**GDT** 

4 feet

3/27/09

3/27/09

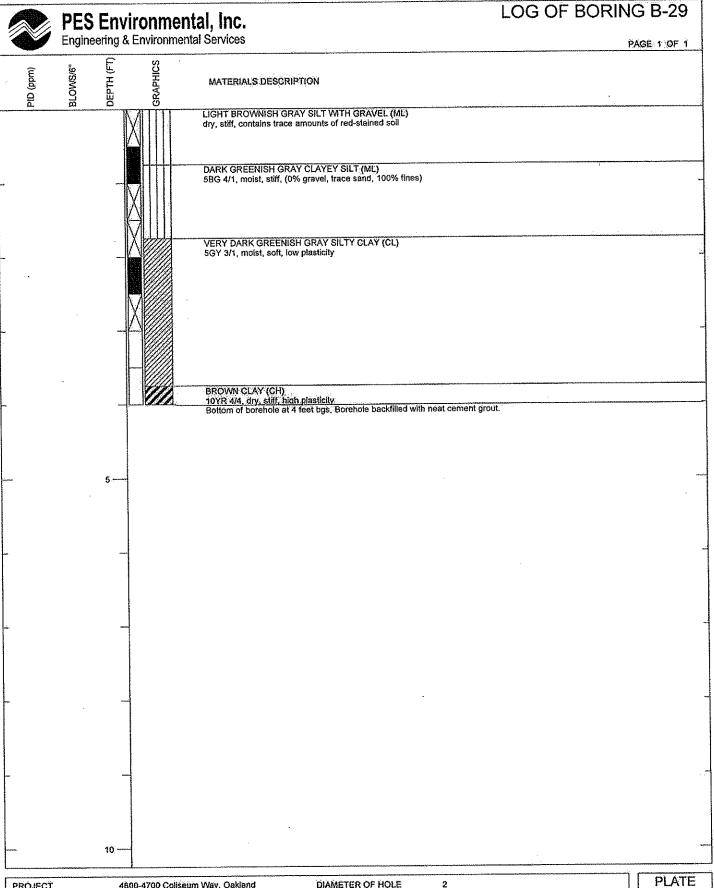


**PROJECT** LOCATION JOB NUMBER GEOLOGIST/ENGINEER Chris Baldassari

4600-4700 Coliseum Way, Oakland 4700 Coliseum Way, Oakland, California 1148,001,03,010

REVIEWED BY TOTAL DEPTH OF HOLE DATE STARTED DATE COMPLETED Direct Push Rig

GDT 4 feet 3/27/09 3/27/09



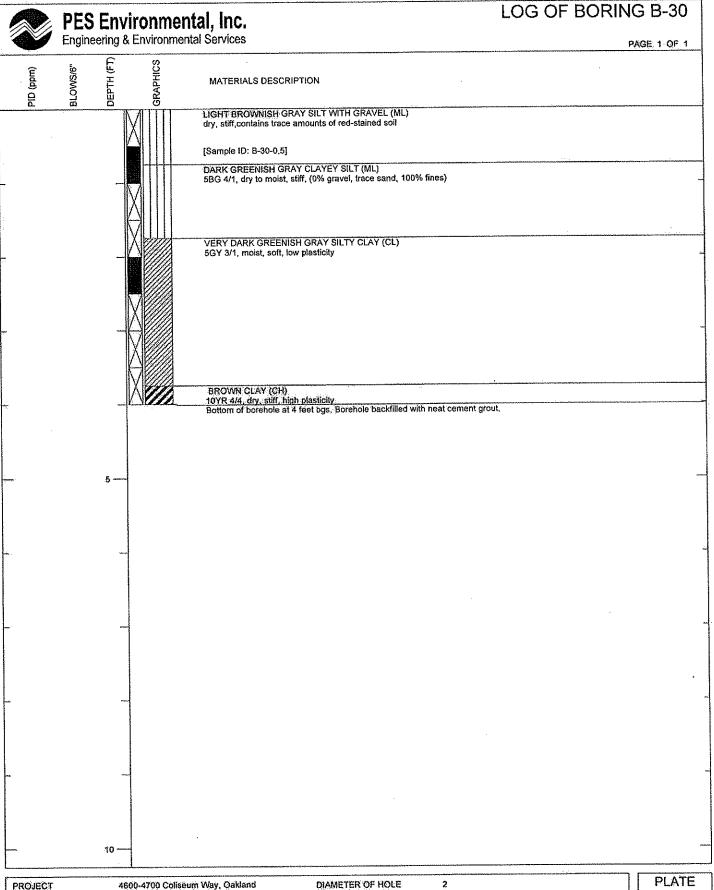
**PROJECT** LOCATION JOB NUMBER GEOLOGIST/ENGINEER Chris Baldassari DRILL RIG

4800-4700 Coliseum Way, Oakland 4700 Coliseum Way, Oakland, California 1148,001.03.010

Direct Push Rig

DIAMETER OF HOLE REVIEWED BY TOTAL DEPTH OF HOLE DATE STARTED DATE COMPLETED

GDT 4 feet 3/27/09 3/27/09



PROJECT LOCATION JOB NUMBER GEOLOGIST/ENGINEER Chris Baldassari DRILL RIG

4600-4700 Coliseum Way, Oakland 4700 Coliseum Way, Oakland, California 1148.001.03.010

Direct Push Rig

REVIEWED BY TOTAL DEPTH OF HOLE DATE STARTED DATE COMPLETED

GDT 4 feet 3/27/09 3/27/09

	PFQ	Fnvi	ronment	ING B-31	
	Enginee	ring &	ronment Environmenta	I Services	PAGE 1 OF 1
PID (ppm)	BLOWS/6"	DEPTH (FT)	GRAPHICS	MATERIALS DESCRIPTION	
				YELLOWISH BROWN SILTY GRAVEL (GM) 10YR 5/4, dry, loose, angular gravel up to 1-inch in diameter, (70% gravel, 0% sand, 30% fines)	
		_		VERY DARK GREENISH GRAY CLAYEY SILT (ML) 5GY 3/1, moist to very moist, soft to medium stiff, trace subangular gravel up to 1/4-inch in diameter [Sample ID: B-31-0.5]	
				(Sample ID: B-31-1,5]	
				VERY DARK GREENISH GRAY SILTY CLAY (CL) 5GY 3/1, wet, soft, low plasticity	
<b>ana</b> r					wei
				BROWN CLAY (CH) 19YR 4/4, dry, stiff, high plasticity Bottom of borehole at 4 feet bgs. Borehole backfilled with neat cement grout,	
				Bottom of borehole at 4 feet bgs. Borehole backfilled with neat cement grout,	nong y sperior and a second se
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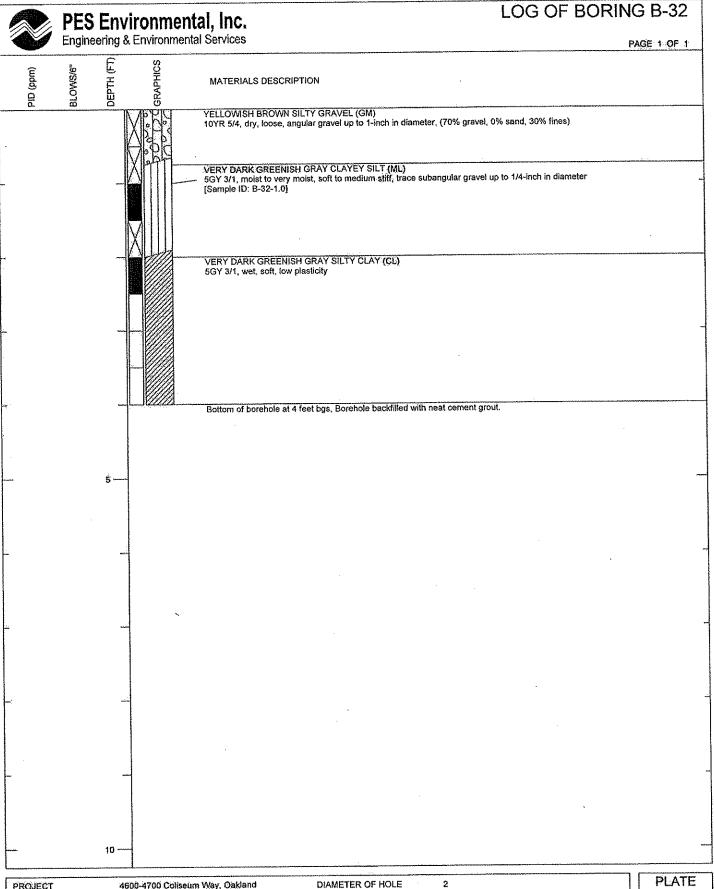
PROJECT LOCATION LOCATION
JOB NUMBER
GEOLOGIST/ENGINEER
Chris Baldassan
Direct Push Rig

4800-4700 Coliseum Way, Oakland 4700 Coliseum Way, Oakland, California

1148,001.03,010

DIAMETER OF HOLE REVIEWED BY TOTAL DEPTH OF HOLE DATE STARTED DATE COMPLETED

GDT 4 feet 3/27/09 3/27/09



PROJECT LOCATION JOB NUMBER GEOLOGIST/ENGINEER Chris Baldasseri

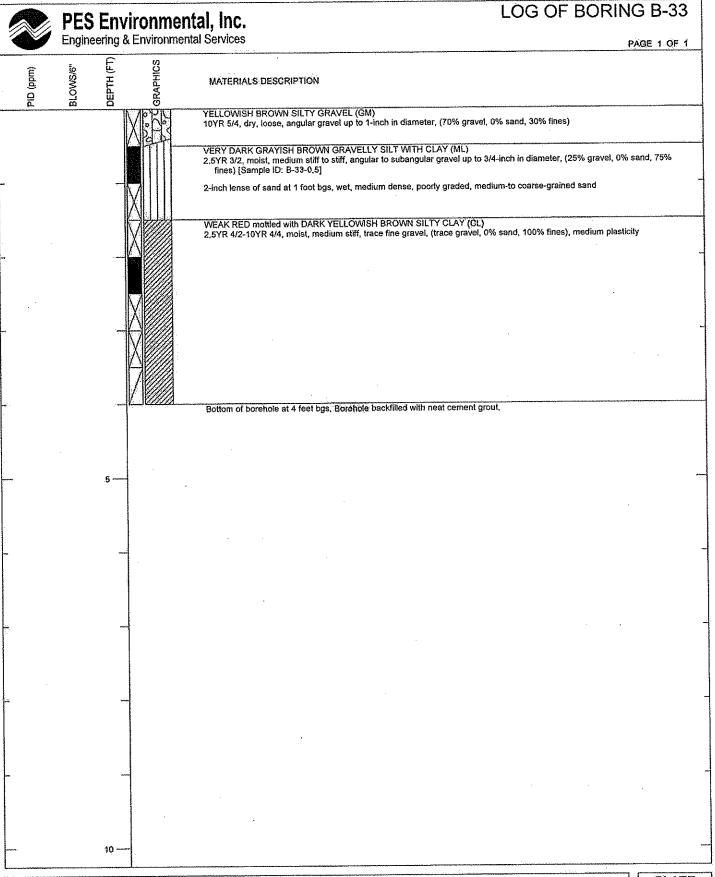
DRILL RIG

4600-4700 Collseum Way, Oakland 4700 Collseum Way, Oakland, California 1148,001.03.010

Direct Push Rig

REVIEWED BY TOTAL DEPTH OF HOLE DATE STARTED DATE COMPLETED

GDT 4 feet 3/27/09 3/27/09



PROJECT LOCATION JOB NUMBER GEOLOGIST/ENGINEER Chris Baldassari

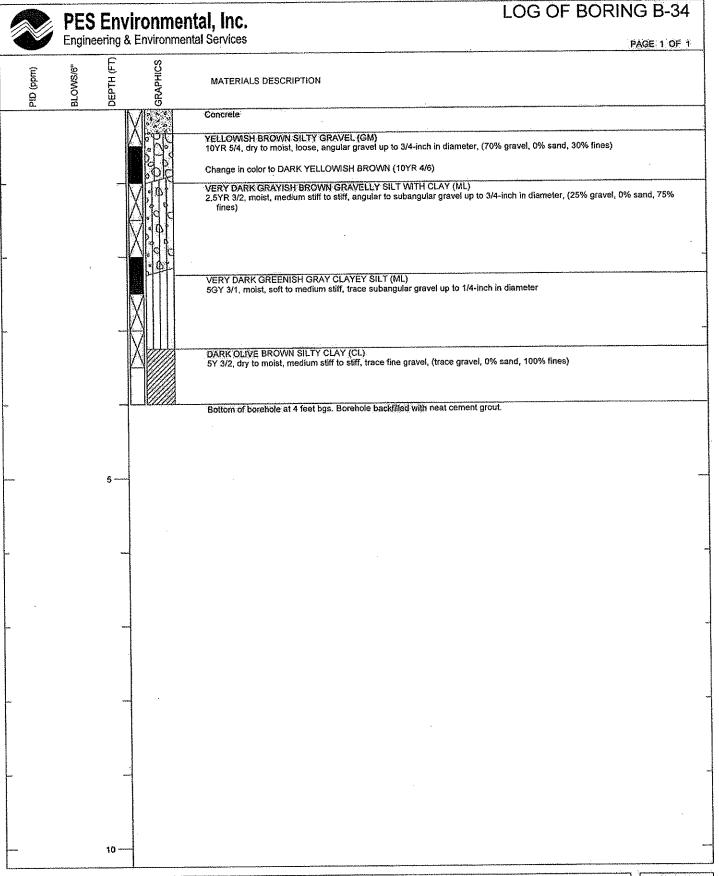
**DRILL RIG** 

4600-4700 Coliseum Way, Oakland 4700 Coliseum Way, Oakland, California

1148.001.03.010 Direct Push Rig

DIAMETER OF HOLE REVIEWED BY TOTAL DEPTH OF HOLE DATE STARTED DATE COMPLETED

GDT 4 feet 3/27/09 3/27/09



PROJECT LOCATION JOB NUMBER GEOLOGIST/ENGINEER Chris Baldassari

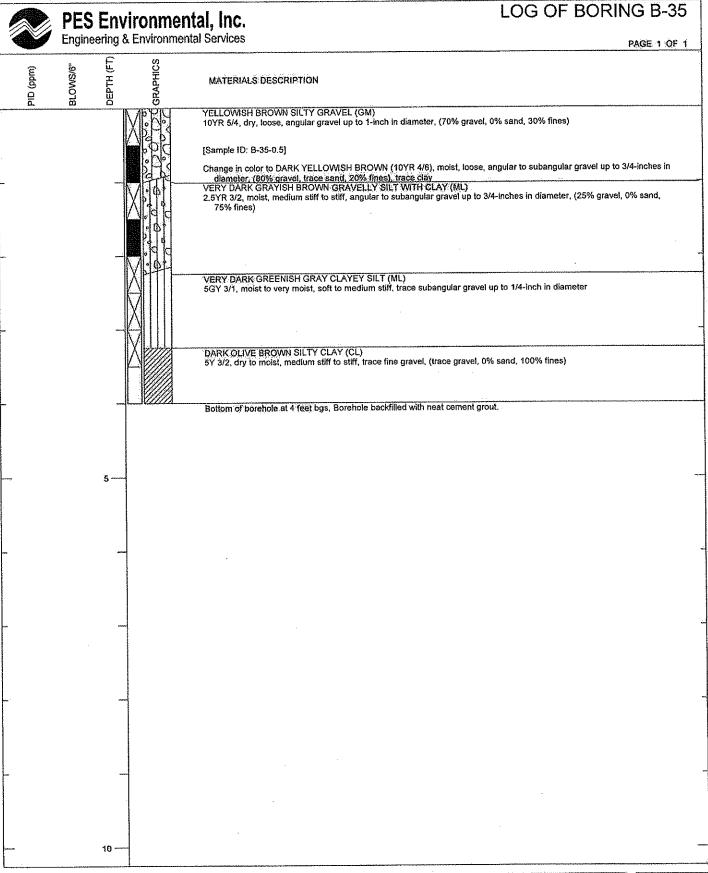
DRILL RIG

4600-4700 Coliseum Way, Oakland 4700 Colliseum Way, Oakland, California

1148.001.03.010 Direct Push Rig

DIAMETER OF HOLE REVIEWED BY TOTAL DEPTH OF HOLE DATE STARTED DATE COMPLETED

GDT 4 feet 3/27/09 3/27/09



**PROJECT** LOCATION JOB NUMBER

DRILL RIG

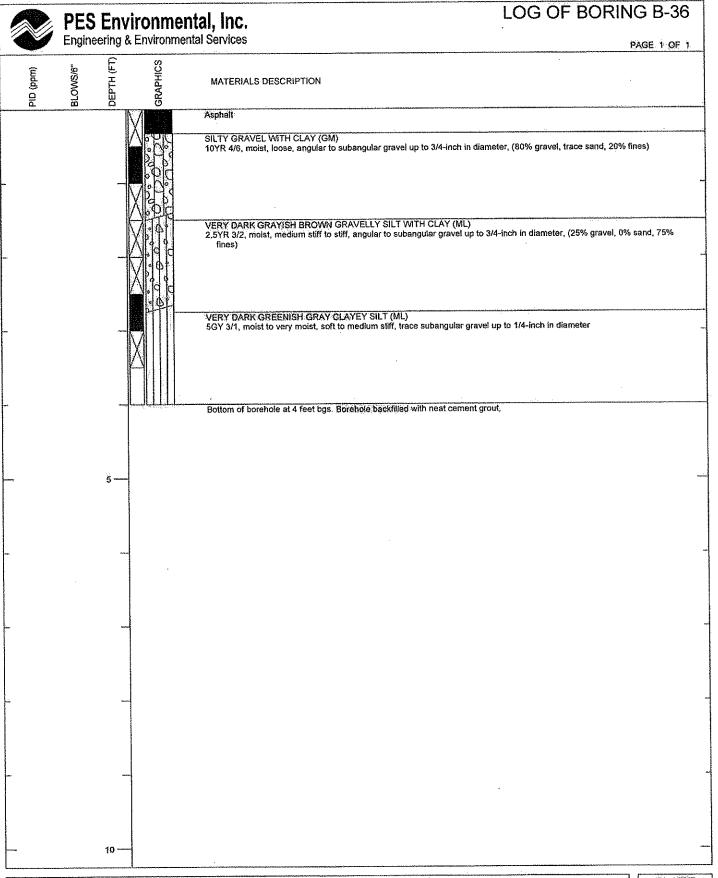
4600-4700 Coliseum Way, Oakland 4700 Coliseum Way, Oakland, California

1148,001.03.010 GEOLOGIST/ENGINEER Chris Beldassari Direct Push Rig

DIAMETER OF HOLE REVIEWED BY TOTAL DEPTH OF HOLE DATE STARTED

DATE COMPLETED

GDT 4 feet 3/27/09 3/27/09



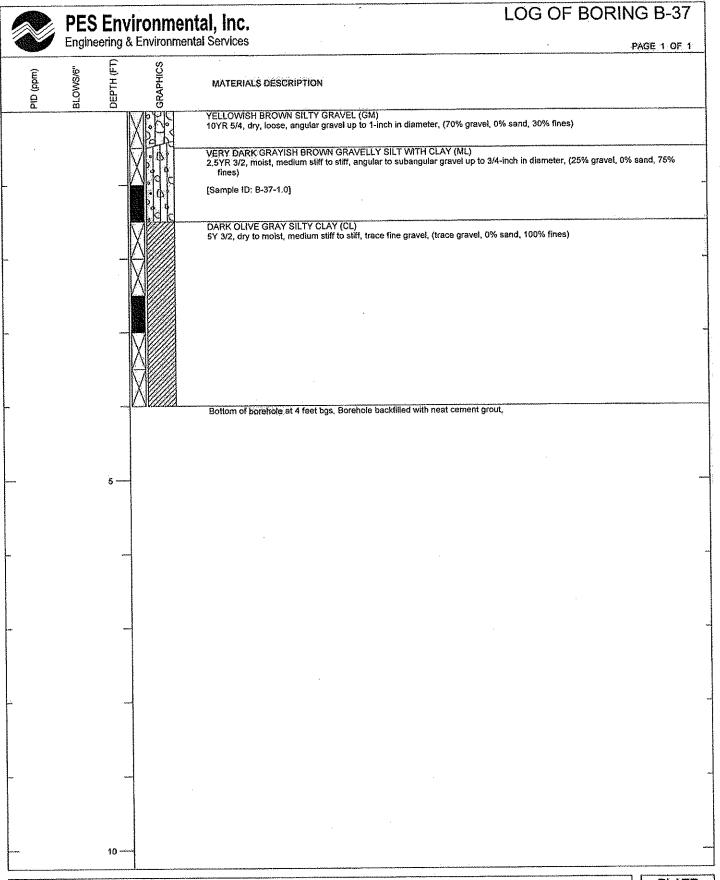
PROJECT LOCATION JOB NUMBER GEOLOGIST/ENGINEER Chris Baldassari DRILL RIG

4600-4700 Coliseum Way, Oakland 4700 Coliseum Way, Oakland, California

1148.001.03.010 Direct Push Rig

DIAMETER OF HOLE REVIEWED BY TOTAL DEPTH OF HOLE DATE STARTED DATE COMPLETED

GDT 4 feet 3/27/09 3/27/09



 PROJECT
 4600-4700 Collise

 LOCATION
 4700 Colliseum V

 JOB NUMBER
 1148:001:03.010

 GEOLOGIST/ENGINEER
 Chris Baldassarl

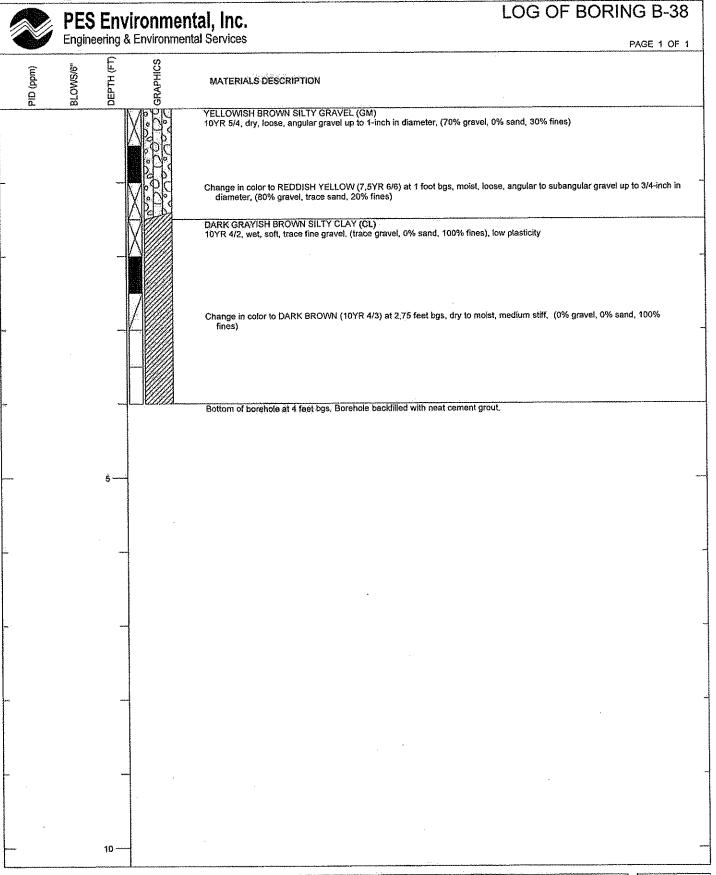
DRILL RIG

4600-4700 Collseum Way, Oakland 4700 Collseum Way, Oakland, Cellifornia 1148-001-03-010

Direct Push Rig

DIAMETER OF HOLE REVIEWED BY TOTAL DEPTH OF HOLE DATE STARTED DATE COMPLETED 2 GDT 4 feet 3/27/09 3/27/09 PLATE

C-22



**PROJECT** LOCATION JOB NUMBER

DRILL RIG

4600-4700 Coliseum Way, Oakland 4700 Coliseum Way, Oakland, California

1148,001.03,010 GEOLOGIST/ENGINEER Chris Baldassari Direct Push Rig

DIAMETER OF HOLE REVIEWED BY TOTAL DEPTH OF HOLE DATE STARTED DATE COMPLETED

GDT 4 feet 3/27/09 3/27/09

## **Recording Requested By:**

Mr. John Weber P.O. Box 304 Diablo, California 94528-0304 OFFICIAL RECORDS OF ALAMEDA COUNTY PATRICK O'CONNELL RECORDING FEE: 45.00

12/09/2009 12:01 PM

When Recorded, Mail To:

Ariu Levi, Director Alameda County Environmental Health Services 1131 Harbor Bay Parkway Alameda, California 94502

## COVENANT AND ENVIRONMENTAL RESTRICTION ON PROPERTY

4600-4700 Coliseum Way, Oakland, California

This Covenant and Environmental Restriction on Property (this "Covenant") is made as of the And day of December, 2009 by John E. Weber and Charlene A. Weber, as Trustees of the John E. and Charlene A. Weber Trust (Covenantor), who is the Owner of record of that certain property situated at 4600-4700 Coliseum Way, in the City of Oakland, County of Alameda, State of California, which is more particularly described in Exhibit A attached hereto and incorporated herein by this reference (such portion hereinafter referred to as the "Burdened Property"), for the benefit of the Alameda County Environmental Health Services (the "County"), with reference to the following facts:

- A. The Burdened Property, and groundwater underlying the property, contains hazardous materials.
- B. <u>Contamination of the Burdened Property</u>. Lead and zinc, associated with the historic over-spray of red paint onto the ground at the property, and volatile organic compounds (VOCs), specifically 1,1-dichloroethane (1,1-DCA) and 1,1,1-trichloroethane (1,1,1-TCA) from a former chemical storage container, have been detected in soil on portions of the Burdened Property. VOCs, specifically 1,1,1-TCA and its degradation products, and very low concentrations of toluene associated with a former gasoline tank, have been detected in groundwater beneath the Burdened Property. The above chemicals constitute hazardous materials as that term is defined in Health & Safety Code Section 25260. Each of the above conditions has been addressed under the oversight of the County, as described below.

In 2003, four surface soil samples were collected from red-stained soil identified at the eastern portion of the Burdened Property. Based on the results of the sampling and analysis, the affected area was excavated to a depth of approximately 12 inches below ground surface (bgs). Approximately 485 tons of soil were removed from an area measuring 140 feet by 40 feet. The approximate excavation area is depicted in Exhibit B. Following the excavation, four

confirmation soil samples were collected and analyzed for total lead, the primary contaminant of concern. All lead levels were below the Risk Based Screening Level for lead established by the California Regional Water Quality Control Board, San Francisco Bay Region (RWQCB) of 750 milligrams per kilogram (mg/kg).

In January 2008, a soil and groundwater investigation was conducted at the Burdened Property. The work included sampling five soil borings (B1 through B5) positioned in the northern and eastern portions of the Burdened Property and a four point composite sample along the former railroad spur. The sampling identified 1,1,1-TCA and its degradation products in groundwater beneath the eastern-northeastern portion of the Burdened Property, with the highest concentration (1,200 micrograms per liter [µg/L] of 1,1,1 - TCA) in boring B1 in the eastern corner. Lower concentrations of 1,1,1-TCA were detected in the soil sample collected from boring B1. Very low concentrations of toluene were detected in the groundwater samples collected from the location of a former gasoline tank shown on historical Sanborn maps in the northern portion of the property. Hydrocarbons and VOCs were not detected in the soil samples collected from these borings. TPHd and TPHmo were detected at concentrations of 9.9 and 84 mg/kg, respectively, in the composite sample collected along the former railroad spur; VOCs and polychlorinated biphenyls (PCBs) were not detected in this sample.

In June and July 2008, a subsurface investigation identified the presence of 1,1-DCA and 1,1,1-TCA in soil directly beneath a former storage shed on the Burdened Property at concentrations in excess of the applicable Environmental Screening Levels (ESLs) developed by the RWQCB for soil in commercial/industrial settings. 1,1,1-TCA and 1,1 - DCA were also detected in groundwater in the vicinity of the shed, although at concentrations below the applicable ESLs.

In early 2009, additional red-stained soil was observed beneath and around the shed. Sampling and remediation was conducted between March and May 2009. Remediation removed the red-stained soil to a depth of approximately 12 inches and the VOC-affected soil from beneath the shed to a further depth of 5.5 feet bgs. The approximate excavation area is depicted in Exhibit B. Verification soil sampling indicated that the excavation removed all soil beneath the shed containing concentrations of VOCs above the applicable ESLs. The excavation also removed soil with lead and/or zinc above target cleanup goals, with three exceptions: zinc-affected soil at sample location B-31 and lead- and zinc-affected soil at sample locations B-49 and B-50. These three locations are shown on Exhibit B. Each of these areas was capped with concrete to prevent future exposures. The approximate location of the concrete cap is shown on Exhibit B.

During the work in 2009, one 1,100-gallon underground storage tank (UST) was identified at the Burdened Property. The UST was removed from the property in April and May 2009. The location of the former UST is shown in Exhibit B. Approximately 875 gallons of water with relatively low concentrations of total petroleum hydrocarbons quantified as diesel and motor oil (TPHd and TPHmo) was pumped from the UST and transported off-site for recycling. Soil and groundwater samples were collected during the UST removal. With the exception of zinc, the laboratory analytical results for all soil samples were below the applicable ESLs. With the exception of nickel and zinc, the laboratory analytical results for the groundwater sample were below the respective groundwater ESLs for sites where groundwater is not a current or potential source of drinking water. The concentrations of nickel and zinc in groundwater were, however,

below the State of California drinking water Maximum Contaminant Levels (MCLs). The UST excavation was backfilled to the ground surface. The report documenting the UST removal and the soil and groundwater sampling was submitted to the County on July 1, 2009.

- C. <u>Exposure Pathways</u>. The contaminants addressed in this Covenant are present in soil and groundwater on the Burdened Property. Without the mitigation measures which have been performed on the Burdened Property, exposure to these contaminants could take place via dermal contact, ingestion and inhalation. The risk of public exposure to the contaminants has been substantially lessened by the remediation and controls described herein.
- D. <u>Adjacent Land Uses and Population Potentially Affected</u>. The Burdened Property is used for industrial purposes and is adjacent to commercial and industrial land uses.
- E. Full and voluntary disclosure to the County of the presence of hazardous materials on the Burdened Property has been made and extensive sampling of the Burdened Property has been conducted.
- F. Covenantor desires and intends that in order to benefit the County, and to protect the present and future public health and safety, the Burdened Property shall be used in such a manner as to avoid potential harm to persons or property that may result from hazardous materials that may have been deposited on portions of the Burdened Property.

## ARTICLE I GENERAL PROVISIONS

1.1 Provisions to Run with the Land. This Covenant sets forth protective provisions, covenants, conditions and restrictions (collectively referred to as "Restrictions") upon and subject to which the Burdened Property and every portion thereof shall be improved, held, used, occupied, leased, sold, hypothecated, encumbered, and/or conveyed. The restrictions set forth in Article III are reasonably necessary to protect present and future human health and safety or the environment as a result of the presence on the land of hazardous materials. Each and all of the Restrictions shall run with the land, and pass with each and every portion of the Burdened Property, and shall apply to, inure to the benefit of, and bind the respective successors in interest thereof, for the benefit of the County and all Owners and Occupants. Each and all of the Restrictions are imposed upon the entire Burdened Property unless expressly stated as applicable to a specific portion of the Burdened Property. Each and all of the Restrictions run with the land pursuant to section 1471 of the Civil Code. Each and all of the Restrictions are enforceable by the County.

- 1.2 <u>Concurrence of Owners and Lessees Presumed.</u> All purchasers, lessees, or possessors of any portion of the Burdened Property shall be deemed by their purchase, leasing, or possession of such Burdened Property, to be in accord with the foregoing and to agree for and among themselves, their heirs, successors, and assignees, and the agents, employees, and lessees of such owners, heirs, successors, and assignees, that the Restrictions as herein established must be adhered to for the benefit of the County and the Owners and Occupants of the Burdened Property and that the interest of the Owners and Occupants of the Burdened Property shall be subject to the Restrictions contained herein.
- 1.3 <u>Incorporation into Deeds and Leases</u>. Covenantor desires and covenants that the Restrictions set out herein shall be incorporated in and attached to each and all deeds and leases of any portion of the Burdened Property. Recordation of this Covenant shall be deemed binding on all successors, assigns, and lessees, regardless of whether a copy of this Covenant and Agreement has been attached to or incorporated into any given deed or lease.
- 1.4 <u>Purpose</u>. It is the purpose of this instrument to convey to the County real property rights, which will run with the land, to facilitate the remediation of past environmental contamination and to protect human health and the environment by reducing the risk of exposure to residual hazardous materials.

## ARTICLE II DEFINITIONS

- 2.1 <u>County</u>. "County" shall mean the Alameda County Environmental Health Services and shall include its successor agencies, if any.
- 2.2 <u>Improvements</u>. "Improvements" shall mean all buildings, roads, driveways, regradings, and paved parking areas, constructed or placed upon any portion of the Burdened Property.
- 2.3 Occupants. "Occupants" shall mean Owners and those persons entitled by ownership, leasehold, or other legal relationship to the exclusive right to use and/or occupy all or any portion of the Burdened Property.
- 2.4 <u>Owner or Owners</u>. "Owner" or "Owners" shall mean the Covenantor and/or its successors in interest, who hold title to all or any portion of the Burdened Property.

## ARTICLE III DEVELOPMENT, USE AND CONVEYANCE OF THE BURDENED PROPERTY

3.1 <u>Restrictions on Development and Use</u>. Covenantor promises to restrict the use of the Burdened Property as follows:

- a. Development of the Burdened Property shall be restricted to industrial, commercial or office space;
  - b. No residence for human habitation shall be permitted on the Burdened Property;
  - No hospitals shall be permitted on the Burdened Property;
- d. No schools for persons under 21 years of age shall be permitted on the Burdened Property;
- e. No day care centers for children or day care centers for Senior Citizens shall be permitted on the Burdened Property;
- f. No Owners or Occupants of the Property, or any portion thereof, shall conduct any excavation work on the Property unless expressly permitted in writing by the County. Any contaminated soils brought to the surface by grading, excavation, trenching, or backfilling shall be managed by Covenantor or his agent in accordance with all applicable provisions of local, state and federal law;
- g. All uses and development of the Burdened Property shall be consistent with any applicable County Cleanup Order or Risk Management Plan, each of which is hereby incorporated by reference including future amendments thereto. All uses and development shall preserve the integrity of any cap, any remedial measures taken or remedial equipment installed, and any groundwater monitoring system installed on the Burdened Property pursuant to the requirements of the County, unless otherwise expressly permitted in writing by the County.
- h. No Owners or Occupants of the Property or any portion thereof shall drill, bore, otherwise construct, or use a well for the purpose of extracting water for any use, including but not limited to, domestic, potable, or industrial uses, unless expressly permitted in writing by the County.
- i. The Owner shall notify the County of each of the following: (1) The type, cause, location and date of any disturbance to any cap, any remedial measures taken or remedial equipment installed, and any groundwater monitoring systems installed on the Burdened Property pursuant to the requirements of the County, which could affect the ability of such cap or remedial measures, remedial equipment, or monitoring system to perform their respective functions and (2) the type and date of repair of such disturbance. Notification to the County shall be made by registered mail within ten (10) working days of both the discovery of such disturbance and the completion of repairs;
  - j. The Covenantor agrees that the County, and/or any persons acting pursuant to County cleanup orders, shall have reasonable access to the Burdened Property for the purposes of inspection, surveillance, maintenance, or monitoring, as provided for in Division 7 of the Water Code
    - k. No Owner or Occupant of the Burdened Property shall act in any manner that will

aggravate or contribute to the existing environmental conditions of the Burdened Property. All use and development of the Burdened Property shall preserve the integrity of any capped areas.

- 2.2 Enforcement. Failure of an Owner or Occupant to comply with any of the restrictions, as set forth in paragraph 3.1, shall be grounds for the County, by reason of this Covenant, to have the authority to require that the Owner modify or remove any Improvements constructed in violation of that paragraph. Violation of the Covenant shall be grounds for the County to file civil actions against the Owner as provided by law.
- 3.3 <u>Notice in Agreements</u>. After the date of recordation hereof, all Owners and Occupants shall execute a written instrument which shall accompany all purchase agreements or leases relating to the property. Any such instrument shall contain the following statement:

The land described herein contains hazardous materials in soils and in the ground water under the property, and is subject to a deed restriction dated as of <u>December 2</u>, 2009, and recorded on <u>December 2</u> 2607, in the Official Records of Alameda County, California, as Document No. 2009381215 which Covenant and Restriction imposes certain covenants, conditions, and restrictions on usage of the property described herein. This statement is not a declaration that a hazard exists.

## ARTICLE IV VARIANCE AND TERMINATION

- 4.1 <u>Variance</u>. Any Owner or, with the Owner's consent, any Occupant of the Burdened Property or any portion thereof may apply to the County for a written variance from the provisions of this Covenant.
- 4.2 <u>Termination</u>. Any Owner or, with the Owner's consent, any Occupant of the Burdened Property or a portion thereof may apply to the County for a termination of the Restrictions as they apply to all or any portion of the Burdened Property.
- 4.3 <u>Term.</u> Unless terminated in accordance with paragraph 4.2 above, by law or otherwise, this Covenant shall continue in effect in perpetuity.

### ARTICLE V MISCELLANEOUS

- 5.1 <u>No Dedication Intended.</u> Nothing set forth herein shall be construed to be a gift or dedication, or offer of a gift or dedication, of the Burdened Property or any portion thereof to the general public.
- 5.2 <u>Notices</u>. Whenever any person gives or serves any notice, demand, or other communication with respect to this Covenant, each such notice, demand, or other

communication shall be in writing and shall be deemed effective (1) when delivered, if personally delivered to the person being served or official of a government agency being served, or (2) three (3) business days after deposit in the mail if mailed by United States mail, postage paid certified, return receipt requested:

If To: "Covenantor"

Mr. John Weber P.O. Box 304 Diablo, California 94528-304

If To: "County"

Alameda County Environmental Health Services Attention: Director 1131 Harbor Bay Parkway Alameda, California 94502

- 5.3 <u>Partial Invalidity</u>. If any portion of the Restrictions or terms set forth herein is determined to be invalid for any reason, the remaining portion shall remain in full force and effect as if such portion had not been included herein.
- 5.4 <u>Article Headings</u>. Headings at the beginning of each numbered article of this Covenant are solely for the convenience of the parties and are not a part of the Covenant.
- 5.5 <u>Recordation</u>. This instrument shall be executed by the Covenantor and by the Director of Environmental Health Services. This instrument shall be recorded by the Covenantor in the County of Alameda within ten (10) days of the date of execution.
  - 5.6 References. All references to Code sections include successor provisions.
- 5.7 <u>Construction</u>. Any general rule of construction to the contrary notwithstanding, this instrument shall be liberally construed in favor of the Covenant to effect the purpose of this instrument and the policy and purpose of the Water Code. If any provision of this instrument is found to be ambiguous, an interpretation consistent with the purpose of this instrument that would render the provision valid shall be favored over any interpretation that would render it invalid.

IN WITNESS WHEREOF, the parties execute this Covenant as of the date set forth

above. Covenantor: By: John E. Weber, Trustee Date: Dec. 2, 2009	Covena By: Title: C	ntor: Allund harlene Dec	Melser, 7 2, 2009	Rustee	- <del></del> -
Jaie. <u>Jes.</u> Z.	- hル	E. and	Charlene	A. Weber	TRUST

Agency:

Alameda County Environmental Health Services

Date:

## CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT State of California County of Alameda On 12/2/09 before me, Liz Campos, Notary Public Name and Title of Officer (e.g. "Jane Doe, Notary Public") personally appeared \_\_\_\_\_Charlene A. Weber Name(s) of Signer(s) personally known to me $\square$ (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the LIZ G. CAMPOS Commission # 1768657 within instrument and acknowledged to me that lotary Public - California he/she/they executed the same in his/her/their authorized Alameda County capacity(ies), and that by his/her/their signature(s) on the ly Comm. Expires Sep 24, 2011 instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument. WITNESS my hand and official seal. Signature\_ Place Notary Seal Above - OPTIONAL Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document. **Description of Attached Document** Title or Type of Document: \_\_\_\_\_ Deed Restriction Document Date: December 2, 2009 Number of Pages: \_\_\_\_\_ Signer(s) Other Than Named Above: Capacity(ies) Claimed by Signer(s) Signer's Name:\_\_\_\_\_ Signer's Name: Charlene A. Weber ☐ Individual ☐ Corporate Officer — Title(s): \_\_\_ ☐ Corporate Officer — Title(s):\_ □ Partner — □ Limited □ General □ Partner — □ Limited □ General ☐ Attorney in Fact Top of thumb here

Top of thumb here

□ Trustee

Other:\_\_\_\_

☐ Guardian or Conservator

Signer Is Representing: \_\_\_

\_\_Attorney in Fact

☐ Guardian or Conservator

Signer Is Representing: \_

□ Trustee

☐ Other: \_\_\_

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California	}
County of <u>Alameda</u>	J
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On 12/2/09 Delote the,	Name and Title of Officer (e.g., "Jane Doe, Notary Public )
personally appearedAriu Levi	Name(s) of Signer(s)
	personally known to me
	☑ (or proved to me on the basis of satisfactory evidence)
LIZ G. CAMPOS Commission # 1768657 Notary Public - California Alameda County MyComm. Expires Sep 24, 2011	to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.
	WITNESS my hand and official seal.
Place Notary Seal Above	Signature of Notary Public
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Though the information below is not required by law and could prevent fraudulent removal an	w, it may prove valuable to persons relying on the document nd reattachment of this form to another document.
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Signer's Name: <u>Ariu Levi</u> ☐ Individual	☐ Individual
☐ Corporate Officer — Title(s):	☐ Corporate Officer — Title(s):
☐ Partner — ☐ Limited ☐ General RIGHTHUM	BPRINT Partner — Limited Light General RIGHT HUMBPRINT OF SIGNER
☐ Attorney in Fact OF SIGN	Top of thumb here
☐ Trustee ☐ Guardian or Conservator	☐ Guardian or Conservator
S Other: Director	Other:
Signer Is Representing:	Signer Is Representing:

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

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ounty of <u>Alameda</u>	J
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	☑ personally known to me
	☐ (or proved to me on the basis of satisfactory evidence)
Liz G. CAMPOS Commission # 1768657 Notary Public - California Alameda County MyComm. Epiles Sep 24, 2011	to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.
	WITNESS my hand and official seal.
Place Notary Seal Above	Signature Signature of Notary Public
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### LEGAL DESCRIPTION

### **EXHIBIT "A"**

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF OAKLAND, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

### PARCEL 1:

A PORTION OF LOT 17 IN BLOCK 3, AS SHOWN ON THE AMENDED MAP OF CLEMENTS ADDITION TO THE TOWN OF MELROSE, FILED IN THE OFFICE OF THE RECORDER OF ALAMEDA COUNTY ON MAY 16, 1904 IN MAP BOOK 19 AT PAGE 89, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHWESTERLY LINE OF 46TH AVENUE, 14 FEET, 8 INCHES SOUTHWESTERLY FROM THE NORTHEASTERLY CORNER OF SAID LOT 17; RUNNING THENCE NORTHEASTERLY ALONG SAID LINE OF 46TH AVENUE, 14 FEET, 8 INCHES TO THE NORTHEASTERLY CORNER OF SAID LOT 17; THENCE NORTHWESTERLY ALONG SAID LOT LINE, 57 FEET; THENCE SOUTHERLY IN A DIRECT LINE TO THE POINT OF BEGINNING.

ASSESSOR'S PARCEL NO. 034-2291-003

#### PARCEL 2:

BEGINNING AT THE INTERSECTION OF THE NORTHEASTERLY LINE OF CLEMENT STREET (FORMERLY CLARK STREET) WITH THE SOUTHEASTERLY LINE OF 46TH AVENUE (FORMERLY B STREET), AS SAID STREETS ARE SHOWN ON THE MAP OF CLEMENT'S ADDITION TO MELROSE, FILED MARCH 22, 1873 IN MAP BOOK 5 AT PAGE 10, IN THE OFFICE OF THE RECORDER OF ALAMEDA COUNTY; RUNNING THENCE SOUTHEASTERLY ALONG SAID LINE OF CLEMENT STREET, 108.9 FEET; THENCE AT RIGHT ANGLES NORTHEASTERLY 400 FEET, MORE OR LESS, TO THE SOUTHWESTERLY LINE OF PROPERTY FORMERLY OF CENTRAL PACIFIC RAILROAD COMPANY; THENCE NORTHWESTERLY ALONG SAID SOUTHWESTERLY LINE OF SAID PROPERTY NOW OR FORMERLY OF CENTRAL PACIFIC RAILROAD COMPANY, 108.9 FEET, MORE OR LESS, TO SAID SOUTHEASTERLY LINE OF SAID 46TH AVENUE; THENCE SOUTHWESTERLY ALONG SAID LINE OF 46TH AVENUE, A DISTANCE OF 400 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

ASSESSOR'S PARCEL NO. 034-2293-003

### PARCEL 3:

BEGINNING AT THE MOST WESTERLY CORNER OF THE PARCEL OF LAND DESCRIBED AND DESIGNATED PARCEL 2 IN THE DEED TO PACIFIC GAS AND ELECTRIC COMPANY DATED FEBRUARY 10, 1926 AND RECORDED IN BOOK 1170, PAGE 357, OFFICIAL RECORDS, SAID MOST WESTERLY CORNER BEING IN THE NORTHEASTERLY BOUNDARY LINE OF COLISEUM WAY, FORMERLY CLEMENT STREET; THENCE NORTH 45°35' EAST ALONG THE NORTHWESTERLY BOUNDARY LINE OF SAID PARCEL OF LAND DESIGNATED PARCEL 2, A DISTANCE OF 400.00 FEET TO THE MOST NORTHERLY CORNER OF SAID PARCEL OF LAND DESIGNATED PARCEL 2, SAID MOST NORTHERLY CORNER BEING IN THE SOUTHWESTERLY BOUNDARY LINE OF THE RAILROAD RIGHT OF WAY OF SOUTHERN PACIFIC COMPANY; THENCE SOUTH 44°25' EAST ALONG THE NORTHEASTERLY BOUNDARY LINE OF SAID PARCEL OF LAND DESIGNATED PARCEL 2, SAID NORTHEASTERLY BOUNDARY LINE BEING THE SOUTHWESTERLY BOUNDARY LINE OF SAID RAILROAD RIGHT OF WAY, 187.50 FEET; THENCE SOUTH 45°35' WEST, PARALLEL WITH THE NORTHWESTERLY BOUNDARY LINE OF SAID PARCEL 0F LAND DESIGNATED PARCEL 2, SAID SOUTHWESTERLY BOUNDARY LINE OF SAID PARCEL 0F LAND DESIGNATED PARCEL 2, SAID SOUTHWESTERLY BOUNDARY LINE OF SAID PARCEL 0F LAND DESIGNATED PARCEL 2, SAID SOUTHWESTERLY BOUNDARY LINE OF SAID PARCEL 0F LAND DESIGNATED PARCEL 2, SAID SOUTHWESTERLY BOUNDARY LINE BEING THE NORTHEASTERLY BOUNDARY LINE OF COLISEUM WAY; THENCE NORTH 44°25' WEST, ALONG THE LAST MENTIONED BOUNDARY LINE, 187.50 FEET TO THE POINT OF BEGINNING.

ASSESSOR'S PARCEL NO. 034-2293-004-02

