



PES Environmental, Inc.
Engineering & Environmental Services

Market place

Date 11/14/95 1:30 PM

FAX TRANSMITTAL

Number of pages including cover sheet 11

To:

Susan Hugo
Alameda County Department of Health
Services
(510) 687-9633

From:

PES Environmental, Inc.
Baywood Center
1682 Novato Boulevard, Suite 100
Novato California 94947

Subject:

Energy Bay Marketplace
Deed Restriction and DTSC No Further
Action Letter

Sent By: Andy Briefer

[Redacted]

Project Number 03102001001
Transmitting 17

Urgent For your review Reply ASAP Please Comment

REMARKS:

If this transmittal has been received in error, please contact
PES ENVIRONMENTAL, INC.
at your earliest convenience (415) 899-1600.

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



April 9, 1990

DEPARTMENT OF ENVIRONMENTAL HEALTH
Hazardous Materials Program
80 Swan Way, Rm. 200
Oakland, CA 94621
(415)

Mr. Walter Kaczmarek
The Martin Group
6475 Christie Ave., Suite 500
Emeryville, CA 94608

RE: Workplan for Additional Work To Be Performed at
Emery Bay Marketplace, Emeryville, CA

Dear Mr. Kaczmarek:

I have reviewed your workplan identified above dated March 22, 1990, that was prepared by ChemRisk. After discussing the contents of this plan with Mr. Lester Feldman, Regional Water Quality Control Board, this plan is acceptable. However, the seasonal fluctuation of the groundwater, especially at MW13 and MW14, has not been determined. The Regional Board and this office is concerned that these two wells may not be screened properly, therefore, giving us inaccurate data.

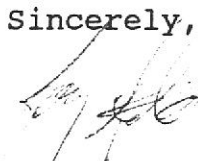
Please submit to this office and the Regional Water Quality Control Board, all the information you used in determining the screened interval for MW13 and MW14, within thirty (30) days.

As discussed and agreed upon during our meeting on February 15, 1990, the execution of a deed restriction on the above property will enable you to leave in place the asphaltic materials and the other contaminants presently identified.

Please notify us when the deed restrictions have been recorded.

If you have any questions, please contact me at, 271-4320.

Sincerely,


Larry Seto, Senior,
Hazardous Materials Specialist

LS:mnc

cc: Lester Feldman, RWQCB
Gil Jensen, Alameda County District Attorney, Consumer and
Environmental Protection Agency
Howard Hatayama, DOHS
Pat Sheehan, ChemRisk
Rafat A. Shahid, Assistant Agency Director, Environmental Health
Files

EXHIBIT "A"

★ WASTE CHARACTERIZATION SAMPLING LOCATION

■ TEST PIT

◆ EARTH METRICS BORINGS

● PREVIOUS BORINGS (WCC)

W REFERS TO A WELL

□ OIL AND GREASE CONCENTRATION IN SOIL (PPM)

REGIONS HAVE LIABILITY FOR MICROFILMING AND COPYING UNSATISFACTORY IN A PORTION OF THE ORIGINAL COPY

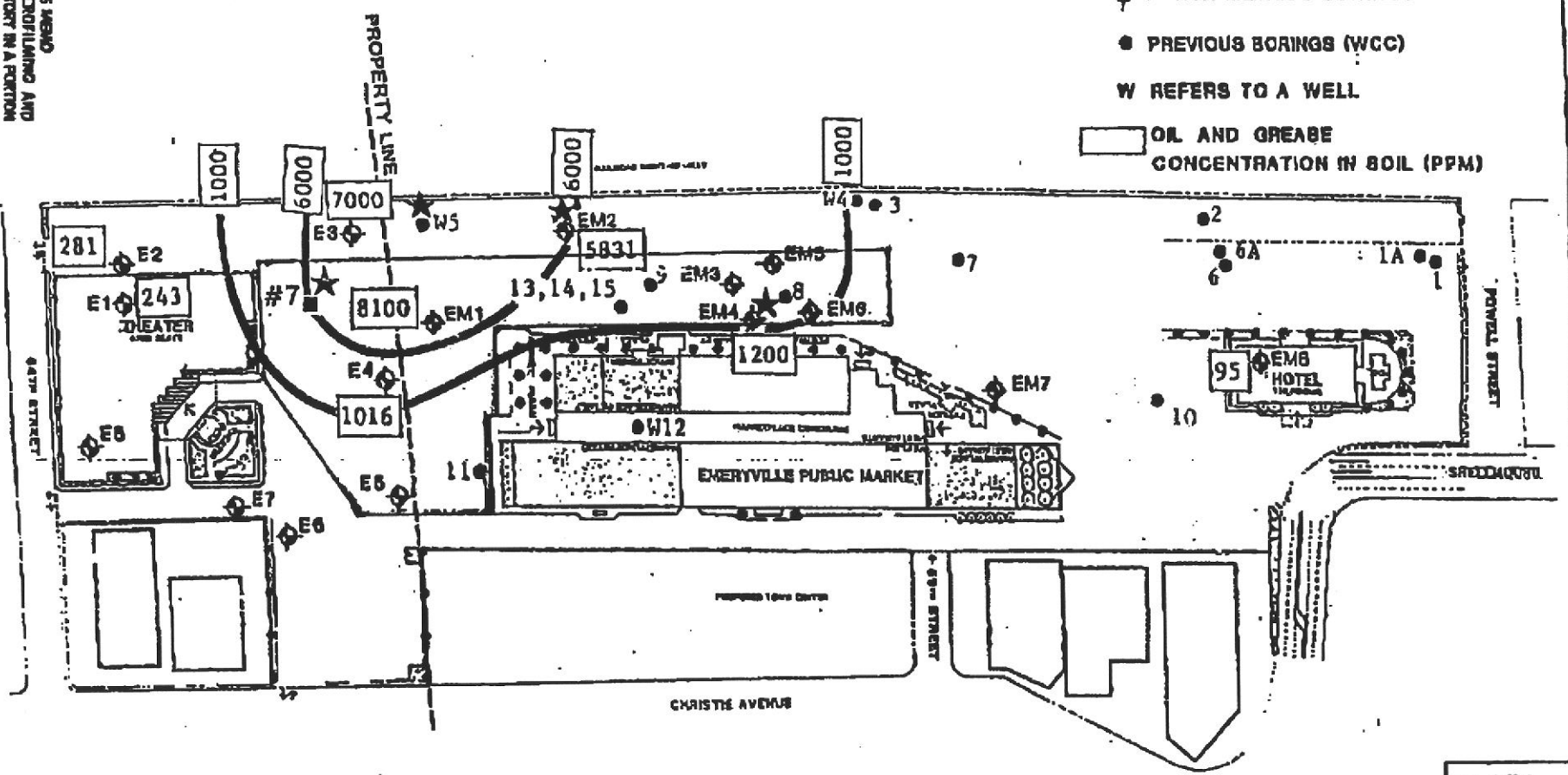


PLATE
1

source: Earth Metrics March 11, 1988

ATT

Aqua Terra Technologies
 Consulting Engineers
 & Scientists

WASTE CHARACTERIZATION
 SAMPLING LOCATION

THE MARTIN COMPANY
 JOB NUMBER 834
 DATE 5/20/88

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

SAN FRANCISCO BAY REGION

1800 HARRISON STREET, SUITE 700
OAKLAND, CA 94612Phone: Area Code 415
484-1255

90 APR 18 PM 12:13

April 17, 1990
File No. 2223.09(LF)Patrick J. Sheehan
Supervising Toxicologist
McLaren, ChemRisk Division
1135 Atlantic Avenue
Alameda, CA 94501

SUBJECT: Emery Bay Marketplace, Emeryville Groundwater Monitoring

Dear Pat:

I have reviewed your submittal of April 6, 1990 relative to monitoring wells W-13 and W-14 existing at the subject site. These wells were installed to monitor hydrocarbons at the fluctuating water table in the area. The construction of these wells appears adequate to monitor what was intended. Therefore, I have no objection to their continued use in assessing the extent of pollutant transport, if any, downgradient of their locations.

Please continue to work with the staff of the Alameda County Health Department in site remediation and in developing a long-term groundwater monitoring program. Please contact me if I can be of additional technical assistance.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lester Feldman".

Lester Feldman
Section Leadercc: Larry Seto, Alameda County Health Department ✓
Walter Kaczmarek, The Martin Group

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD**SAN FRANCISCO BAY REGION**1800 HARRISON STREET, SUITE 700
OAKLAND, CA 94612Phone: Area Code 415
484-1255February 9, 1990
File:2223.09 (RCH)

Mr Lowell Miller
Alameda County Health Department
80 Swan Way, #200
Oakland, California 94612

Re: Emeryville Marketplace Site

Dear Lowell,

As we discussed in our meeting on 1/24/90, there are still some items at the site, which need to be completed before we can proceed towards closure, specifically the removal of hotspots and an additional ground water waste plume investigation.

We understand Alameda County Health Department (ACHD) has recommended the cleanup of hotspots at the site before the installation of a monitoring system. The Regional Board staff, in similar cases, has required the removal of hot spots where technically and economically feasible. Therefore we will support your recommendation for hot spot removal both in soil and groundwater. Based on our meeting with Marketplace representatives the pumping of ground water for cleanup at the "former asphalt plant" should be implemented as soon as possible. Should the local sanitary district not accept the contaminated water an NPDES permit application should be submitted to this office.

At present the ground water waste plume investigation does not describe all possible avenues for downgradient contamination migration, existing and future. Additional wells, or trenching is needed to assess long term groundwater flow direction. Once this is accomplished a current and final monitoring system, as discussed with the Marketplace representatives, can be initiated as part of closure. We will consider closure based upon the attached general procedures which were written for tank closures. These procedures call for your recommendation for closure of the site after all investigation and cleanup criteria have been met to your satisfaction.

If you have any questions about this letter or closure procedures please contact Richard Hiett from my staff at (415) 464-4359.

Sincerely,



Lester Feldman

Section Leader
North Bay Toxics

Attachment: "closeure guidelines"

cc: Walter T. Kaczmarek, The Martin Group (w/o attachment)
Micheal A. Covarrubias, The Martin Group (w/o attachment)
Julie Menack McLaren, ChemRisk (w/o attachment)
Patrick Sheehan, ChemRisk (w/o attachment)

Recommended Format for
Case Closure Referrals to RWQCB for
Site Cleanup Certification

(Draft 6/19/89 DCW)

I. Background History of the Case

An Assessment should be made as to the thoroughness of the investigation relative to the entire tank system including all tanks and associated piping. At a minimum, this should include a discussion of:

- a) Cause and location of the leak, how it was discovered, estimate of the volume the release, duration of the leak, and effectiveness of the leak detection monitoring program
- b) Pollutants involved

II. Investigative Methods

An overall evaluation should be made of the investigative methods used, and the validity of the data generated. At a minimum the following methods and procedures should be reviewed for appropriateness:

- a) Soil sampling methodology
- b) Groundwater monitoring well design, installation, development
- c) Groundwater sampling methodology
- d) Certified laboratory, chain of custody procedures, sample preservation, holding times, sample preparation methods, and detection limits
- e) Soil and/or groundwater analysis performed in accordance to Table 2 of Regional Board Staff Recommendations
- f) Method used to measure free product thickness
- g) Method used to measure groundwater elevations

III. Extent of Soil and Groundwater Pollution

The vertical and lateral extent of soil and groundwater contamination should be defined to non-detectable levels. All graphic presentations of this data should be reviewed. An assessment should be made as to whether the location and number of monitoring wells and soil samples are adequate in order to define:

- a) Vertical and lateral definition of soil contamination
- b) Vertical and lateral definition of free-product and dissolved constituents

IV. Local and Regional Hydrogeology

Reference should be made to the groundwater sensitivity, site specific geology, and hydrogeologic setting of the area. All nearby surface water bodies, municipal, and domestic wells of concern should be noted. An evaluation should be made of all potential pollutant pathways and hydraulic connections. The following information should also be reviewed:

- a) Local gradient evaluation and seasonal fluctuations
- b) Graphic presentations such as cross-sections and gradient maps
- c) Aquifer characteristics
- d) Soil permeability

V. Beneficial Uses

An evaluation should be made of all the existing and potential impacts on beneficial uses of surface and ground water. The following information should be summarized:

- a) Existing beneficial uses as contained in the Regional Board's Basin Plan, and all potential future beneficial uses
- b) Well surveys (municipal, agricultural, domestic)
- c) Summary of factors affecting long-term fate of contaminants

VI. Remediation Activities

An evaluation should be made as to the effectiveness of all remediation activities undertaken including:

- a) Rationale for selected remedial option
- b) Soil-remediation method and effectiveness
- c) Groundwater remediation method(s) (free-product and dissolved constituents)
- d) Interim remediation actions undertaken
- e) Impact (potential and/or existing) of remedial actions on beneficial uses

VII. Remediation Effectiveness

An evaluation should be made of the effectiveness of all remediation activities undertaken at the site. At a minimum, the following information should be addressed:

- a) Are final cleanup levels consistent with State Water Resources Control Board Resolution 68-16 "Statement of Policy with Respect to Maintaining High Quality of Waters in California"?
- b) Verification monitoring program and criteria, rationale, sampling number, frequency, and duration
- c) Impact (potential and/or existing) of residual pollutants on beneficial uses

VIII. Sign-off

Cases which will be considered for sign-off by the Regional Board or Executive Officer are those in which 1) the release has not impacted groundwater, and does not appear to pose a potential threat to ground and/or surface water, or 2) groundwater has been impacted and the site has been sufficiently remediated. This section should include:

- a) A summary of findings and rationale for sign-off recommendation

To: Ed Howell, Acting Chief
Hazardous Materials Division

From: Lowell J. Miller

Subject: Marketplace Site, Emeryville

Date: 2/7/90

The following items pertain to our December 19, 1989 letter to the Martin Company and should serve to further delineate the issues involved. There are three items to be considered: (1) Some specific proposals along the lines of the our December 19, 1989 letter which will hopefully clarify some issues; (2) some of the regulatory options which which pertain to this issue. A review of existing data has been prepared by McClaren (August 9, 1989) which summarizes data and work collected concerning groundwater. A separate summary concerning groundwater and soils data has also been prepared by McClaren.

December 19, 1989 Issues

As indicated in item 1 of our requirements submitted on December 19, 1989 further exploratory proposal regarding the floating oil is needed. This might be one or two additional wells to determine the extent of the contamination.

The groundwater monitoring programs as reported in the September 11, 1989 report consisted of three wells located on the property. Discussions with the San Francisco Regional Quality Control Water Board indicates that the existing monitoring network is not adequate to meet their guidelines, specifically whether contaminants are leaving the western edge of the property and in what concentration. It was recommended that a sufficient number of additional wells be placed so that it could be determined if contaminants are leaving the property. The goal of the well placement and subsequent investigation would be to meet the same requirements as if the site owners were to request a waste discharge permit from the Board. The consultants working on this project should be familiar with the the Board's waste discharge requirements when submitting a work plan.

The soil sampling program discussed in item 2 does not imply that a new sampling program be initiated from "scratch". It may include earlier soils data where appropriate. It should, however, include applicable portions of the SW - 846 guidelines. A proposal should be included in the workplan to include such guidelines.

A risk assessment based on the above findings should also be submitted. The assessment should have, at the minimum, the SFR WQCB requirements pertaining to waste discharge.

Options

The following options are available in the event that the above requirements are not accepted by the Martin Co.

1. Under H & S. C. 25221, Alameda County may apply to the Department of Health Services to have them make a determination as to whether the site should be deemed a hazardous waste property.
2. The site could be considered as a landfill and required to meet the CCR Title 23, Ch. 3, Subchapter 15 requirements for a Class I, Class II, or Class III landfill.
3. The Martin Co. could be required to remediate the site pursuant to a clean-up and abatement order issued by the Regional Quality Control Board under Section 13304.
4. The Martin Co. could be required to apply for a Waste Discharge Permit under Division 1, Ch. 2 Section 13260 of the California Water Code.
5. The Martin Co. could be required to submit a technical report under Section 13267 of the California Water Code for review by the Regional Board.

To: Ed Howell, Acting Chief
Hazardous Materials Division

From: Lowell J. Miller

Subject: Marketplace Site, Emeryville

Date: 1/29/90

The following items pertain to our December 19, 1989 letter to the Martin Company and should serve to further delineate the

As indicated in item 1 of our requirements submitted on December 19, 1989 further exploratory proposal regarding the floating oil is needed. This might be one or two additional wells to determine the extent of the contamination.

The groundwater monitoring programs as reported in the September 11, 1989 report consisted of three wells located on the property. Discussions with the San Francisco Regional Quality Control Water Board indicates that the existing monitoring network is not adequate to meet their guidelines, specifically whether contaminants are leaving the western edge of the property. It was recommended that a sufficient number of additional wells be placed so that it could be determined if contaminants are leaving the property. The goal of the well placement and subsequent investigation would be to meet the same requirements as if the site owners were to request a waste discharge permit from the Board. The consultants working on this project should be familiar with the the Board's waste discharge requirements when submitting a work plan.

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A risk assessment based on the above findings should also be submitted. The assessment should have, at the minimum, the SFRWQCB requirements

pertaining to waste discharge.

Since the January 5, 1990 letter to me presents a somewhat distorted picture of the events during the past years, I would like to present some comments concerning that letter.

1. Most of the data and reports submitted to Alameda County were presented without prior consultation and agreement. Reports were submitted after work had been done, field work had been conducted without county notification, reports have been incomplete, and earlier reports had been insufficiently analyzed. The following examples are typical.

- a) A Woodward-Clyde Environmental Assessment (August 12, 1987) clearly indicated that one well B-5 showed floating product. This fact was brought to Martin Co. attention in March 1988. The presence of the oil was consistently denied in many subsequent meetings until summer of 1989.
- b) Reports were submitted by Earth Metrics, Inc. during 1988 without crucial boring log reports. Additionally, well and sample numbers were mislabelled. Special meetings had to be called to straighten out the confusion.
- c) During many site visits to the construction project, Mr. Marc Papineau was unaware of the activities going at the site that pertained to environmental issues. Monitoring wells were accidentally destroyed, previously marked stockpiles were moved, and items were changed as previously indicated in submitted documents.
- d) Despite repeated requests for a single environmental coordinator for this project, one has not been selected who is knowledgeable and responsible for the site. To this day, it is not clear who speaks for the Martin Co. (Is it Pat Sheehan, Walt Kaczmarek, Julie Menak, Robert Wyatt?) This office has received communications from all of these individuals on various aspects of this project.

- e) Reports have been submitted with data that have been recognized by the report writers as spurious, yet conclusions based on this data have been presented as factual. Other reports have revealed credible data, yet presented conclusions completely inconsistent with the data.

As these items indicate, the Martin Co. has not been, as they have put it, "diligently attempting to cooperate with this office". The only thing they have been diligently doing, is having meetings with us to pressure this office to accept any report which they have prepared.

Despite this sorry record, this office is willing to cooperate with the Martin Co. to resolve any remaining issues. What we require is a commitment to meet the requirements as outlined above, technical meetings to resolve appropriate issues, and time to allow approval of written proposals and adequate communication of all parties involved. It is also important to have the recognition that some data results may not be favorable to the Martin Co. and that attempts to get this office to ignore such results are counterproductive.

To: Ed Howell, Acting Chief
Hazardous Materials Division

From: Lowell J. Miller

Subject: Marketplace Site, Emeryville

Date: 1/29/90

The following items pertain to our December 19, 1989 letter to the Martin Company and should serve to further delineate the issues involved. There are three items to be considered: (1) Some specific proposals along the lines of the our December 19, 1989 letter which will hopefully clarify some issues; (2) Comments regarding the difficulty of dealing with the Martin Co. submittals over the past years; and (3) some of the regulatory options which which pertain to this issue.

December 19, 1989 Issues

As indicated in item 1 of our requirements submitted on December 19, 1989 further exploratory proposal regarding the floating oil is needed. This might be one or two additional wells to determine the extent of the contamination.

The groundwater monitoring programs as reported in the September 11, 1989 report consisted of three wells located on the property. Discussions with the San Francisco Regional Quality Control Water Board indicates that the existing monitoring network is not adequate to meet their guidelines, specifically whether contaminants are leaving the western edge of the property and in what concentration.. It was recommended that a sufficient number of additional wells be placed so that it could be determined if contaminants are leaving the property. The goal of the well placement and subsequent investigation would be to meet the same requirements as if the site owners were to request a waste discharge permit from the Board. The consultants working on this project should be familiar with the the Board's waste discharge requirements when submitting a work plan.

The soil sampling program discussed in item 2 does not imply that a new sampling program be initiated from "scratch". It may include earlier soils data where appropriate. It should, however, include applicable portions of the SW - 846 guidelines. A proposal should be included in the workplan to include such guidelines.

A risk assessment based on the above findings should also be submitted. The assessment should have, at the minimum, the SFRWQCB requirements pertaining to waste discharge.

Comments of January 5, 1990 Letter

Since the January 5, 1990 letter to me presents a somewhat distorted picture of the events during the past years, I would like to present some comments concerning that letter and other facts relating to this site.

Most of the data and reports submitted to Alameda County were presented without prior consultation and agreement. Reports were submitted after work had been done, field work had been conducted without county notification, reports have been incomplete, and earlier reports had been insufficiently analyzed. The following examples are typical:

- a) A Woodward-Clyde Environmental Assessment (August 12, 1987) clearly indicated that one well B-5 showed floating product. This fact was brought to Martin Co. attention in March 1988. The presence of the oil was consistently denied in many subsequent meetings until summer of 1989.
- b) Reports were submitted by Earth Metrics, Inc. during 1988 without crucial boring log reports. Additionally, well and sample numbers were mislabelled. Special meetings had to be called to straighten out the confusion.
- c) During many site visits to the construction project, Mr. Marc Papineau was unaware of the activities going at the site that pertained to environmental issues. Monitoring wells were accidentally destroyed, previously marked stockpiles were moved, and items were changed from those indicated in previously submitted documents.

- d) Despite repeated requests for a single environmental coordinator for this project, one has not been selected who is knowledgeable and responsible for the site. To this day, it is not clear who speaks for the Martin Co. (Is it Pat Sheehan, Walt Kaczmarek, Julie Menak, Robert Wyatt?) This office has received communications from all of these individuals on various aspects of this project.
- e) Reports have been submitted with data that have been recognized by the report writers as spurious, yet conclusions based on this data have been presented as factual. Other reports have revealed credible data, yet presented conclusions completely inconsistent with the data.

As these items indicate, the Martin Co. has not been, as they have put it, "diligently attempting to cooperate with this office". The only thing they have been diligently doing, is having meetings with us to pressure this office to accept any report which they have prepared.

Despite this sorry record, this office is willing to cooperate with the Martin Co. to resolve any remaining issues. What we require is a commitment to meet the requirements as outlined above, technical meetings (if necessary) to resolve appropriate issues, time to allow approval of written proposals, adequate communication of all parties involved, and one central authority who will speak for the Martin Co. It should also be recognized that the mere submission of data of inadequate quality and limited scope coupled with a refusal to correct such data does not represent the spirit of cooperation required to bring this issue to a successful conclusion. A major source of frustration in this case has been the lack of commitment on the part of the Martin Company. Their primary focus seems to be on presenting minimal data of questionable quality and expecting the County to approve such submissions. This attitude needs to be changed in order for progress to be achieved in this case.

In a larger sense, this particular case represents the general issue on the disagreement of the quality of submitted data. It is important to note that the Division has well over 600 remediation cases. If it becomes general knowledge that a property owner who disagrees with a specialist's judgement need only go to higher authority, this division will be constantly involved in an endless series of appeals from aggrieved

parties. It is important in this situation to treat each party with fairness and hold all parties to the same standard of review.

It is hoped that a new spirit of cooperation will emerge from this meeting. If it does not, the following options are available to the Division:

1. Under H & S. C. 25221, Alameda County may apply to the Department of Health Services to have them make a determination as to whether the site should be deemed a hazardous waste property.

2. The site could be considered as a landfill and required to meet the CCR Title 23, Ch. 3, Subchapter 15 requirements for a Class I, Class II, or Class III landfill.

3. The Martin Co. could be required to remediate the site pursuant to a clean-up and abatement order issued by the Regional Quality Control Board under Section 13304.

4. The Martin Co. could be required to apply for a Waste Discharge Permit emanating from the site under either appropriate federal or state regulations.

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Director



Telephone Number: (415)

January 19, 1990

Mr. Walter Kaczmarek
6475 Christie Ave., Ste. 500
Emeryville, CA 94608

Dear Mr. Kaczmarek:

This is to confirm our meeting on Wednesday, January 31, 1990 at 9:30 a.m. which will be held at 80 Swan Way, Room 200 in Oakland. This meeting will be concerning the Marketplace site in Emeryville. Also, we have requested Department of Health Services (DOHS) Toxics Division, Regional Water Quality Control Board (RWQCB) and District Attorney's office to attend this meeting .

Should you have any questions, please call me at (415) 271-4320.

Sincerely,

Edgar B. Howell III
Acting Chief, HazMat Division

EH:mam

cc: Rafat A. Shahid, Assistant Agency Director, Department
of Environmental Health
Howard Hatayama, DOHS
Lester Feldman, RWQCB
Gil Jensen, Alameda County District Attorney, Consumer and
Environmental Protection Division
Lowell Miller, Alameda County Hazardous Materials Division
Files

DEPARTMENT OF HEALTH SERVICES

714/744 P STREET
P.O. BOX 942732
SACRAMENTO, CA 94234-7320

8/30/89



(916) 322-3670

August 22, 1989

Patrick J. Sheehan, Ph.D.
Supervising Toxicologist
ChemRisk
980 Atlantic Avenue, Suite 100
Alameda, CA 94501

Dear Dr. Sheehan:

PNA CONTAMINATION IN SOILS

Thank you for your letter of July 25, 1989 concerning the problem of PNA contamination in soils. You ask whether the Department of Health Services (DHS) classifies soils containing PNAs ranging from <0.2 to 17.8 ppm as hazardous waste. This question arises from an investigation of property located in Alameda County, and concern over the applicability of California Code of Regulations (CCR) section 66696(a)(6). You have explained to me that the property is the site of former manufacturing operations for asphalt roofing and flooring products. Residual "asphalt-like" waste appears to be confined to depths ranging from three to seven feet below the surface, and is distinguished from the soil by its color and viscosity. You have advised me that, based on the investigations conducted at this site, the PNAs appear to be strictly associated with this asphalt-like waste. I have obtained additional information about this site indicating extensive subterranean contamination by "oil" and other wastes. Oil floating above the groundwater was analyzed and found to contain 170 ppm chrysene, 170 ppm fluorene, and 440 ppm phenanthrene. Analyses of soil samples revealed concentrations of Cu at 46,819 ppm, Pb at 2,189, and Hg at 40 ppm. Asbestos-containing tar paper is frequently encountered at the site, and there is evidence of Zn, As, and fuel hydrocarbon contamination.

Data presented in the table accompanying your letter were derived by judgmental sampling intended to reflect "worst case" conditions; however, no PNAs were detected in two of the three borings made specifically to assess PNA levels associated with the asphalt-like material. Carcinogenic PNAs reported at concentrations above their limits of detection in the remaining boring (EM-4) ranged from 1.4 ppm (benzopyrene) to 7.6 ppm (dibenzo(a,h)anthracene). These data represent discrete results, not mean concentrations or confidence limits.

With regard to waste classification, the DHS does not currently have fixed or adopted criteria for assessing chronic toxicity, persistence in the environment, bioaccumulative potential, or carcinogenicity pursuant to CCR section 66696(a)(6). In the

Patrick J. Sheehan, Ph.D.

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absence of specific guidance directing the application of CCR section 66696(a)(6), risk assessments may be performed to address the question of carcinogenicity (or other end points). In order to be considered meaningful, these assessments should be based on realistic and probable exposure scenarios.

I do have enough information to offer a conclusive response to your question; however, the following points address PNA/asphalt toxicity. In using the term "asphalt" below, I refer to hardened asphalt such as that from pavements. I do not refer to asphalt distillates or related products.

1. Because of its insolubility in aqueous media and the high molecular weight of its components, asphalt has a low order of toxicity. The DHS does not consider hardened asphalt to be hazardous and has issued statewide policy to this effect. The DHS is aware that asphalt contains PNAs.
2. The mean concentrations of PNAs in the total volume of excavated soil may be much lower than the concentrations reported by direct sampling and analysis of the "asphalt-like" waste. Therefore, the risk associated with exposure to the mean concentration of PNAs in the soil may be lower than suggested by the EM-4 numbers since risk would be related to the concentration/dose of the PNAs. I feel it necessary to underscore that this remark does not imply tolerance of excavation conducted for the purpose of dilution, but rather, recognizes that in some instances, the extent of contamination may not be precisely defined, or that it may not be practical or possible to conduct the removal of contaminated areas with surgical precision.
3. Considering soil sorption coefficients and water solubilities, PNA compounds are not expected to have high mobility in soils. Therefore, significant leaching of these compounds into groundwater is not expected from soils having higher organic content. Many PNAs are biodegradable, with half lives in soil ranging from less than one day to a few years (1).

You may also wish to consider the following; however, this approach has not been validated or adopted by the DHS. Pursuant to CCR section 66696(a)(5), the DHS imposes a limit of 10 ppm in wastes for OSHA-regulated carcinogens. The U.S. EPA has developed a method for ranking the degree of hazard associated with exposure to carcinogens and other toxic chemicals, and has developed potency factors for most of the OSHA-regulated carcinogens as well as many PNAs (2). Among the OSHA-regulated substances for which potency factor estimates have been made, bis-chloromethyl ether (BCME) is assigned the highest potency factor. Comparing the BCME factor with those assigned to PNAs detected at the Alameda site, the PNAs

Patrick J. Sheehan, Ph.D.
Page 3
August 22, 1989

(for which potency factor estimates have been made) are less potent as carcinogens. Assuming these relative potency estimates are correct, it may be possible to estimate the relative concentrations of PNAs which would represent the "equivalent risk" posed by BCME at a concentration of 10 ppm. Based strictly on a comparison of potency factors, one might also conclude that at levels below 10 ppm, none of the PNAs identified in this investigation represent a significant cancer risk since they have lower relative potencies. Different conclusions may be reached when a different chemical is used as the reference, or when considering the additive risk for total PNAs. Different conclusions may also be reached when using other potency factor estimates (e.g., from IRIS) as benchmarks.

There are significant problems with the use of potency factor estimates in waste evaluation which have yet to be adequately addressed. For example, the potency factors developed by EPA for the OSHA-regulated carcinogens range over seven orders of magnitude; yet each of these substances are regulated by DHS at a level of 10 ppm. This approach does not address the question of accumulative risk presented in considering the concentration of total PNAs (26.5 ppm in EM-4), and is based, in part, on OSHA-regulated compounds which occur infrequently in wastes, and for which exposures are therefore likely to be limited (e.g., the use of several OSHA-regulated carcinogens is presently limited to cancer research).


The use of potency factor estimates seems an interesting approach; however, it has not been validated or adopted by the DHS, and is not likely to be adopted at any time in the near future. We are just now beginning to evaluate the merits and deficiencies of this approach to classification of wastes containing carcinogens. Obviously, some criteria are needed, as it would be inappropriate to conclude that simply because a waste contains a carcinogenic agent, the waste should be considered carcinogenic and therefore classified and managed as hazardous waste pursuant to CCR section 66696(a)(6). Asphalt contains PNAs, but is not considered to be hazardous waste. Soils contain naturally occurring arsenic, a known carcinogen; however, soils are not considered to be hazardous wastes solely on that basis.

This response is limited to the narrow question posed by your letter, and is not applicable to the classification of oil, groundwater, asbestos-containing tar paper, or other wastes occurring at the site. This response does not constitute a DHS classification of the soil. The DHS has not been presented with all of the necessary or available data, nor has it been asked to make a classification decision. The generator of this waste has self-classified the waste as "nonhazardous", and remains responsible for proper classification and management of all contaminated soil.

Patrick J. Sheehan, Ph.D.
Page 4
August 22, 1989

Although I am not able to fully answer your question, I hope that you find this response helpful. If you have any other questions, please feel free to contact me at the letterhead address or telephone number.

Sincerely,



Norman E. Riley
Alternative Technology Division
Toxic Substances Control Program

- (1) USEPA, 1984. Health Effects Assessment for Polycyclic Aromatic Hydrocarbons (PAHS). EPA/540/1-86/013, NTIS No. PB86-134244.
- (2) USEPA, 1985. Methodology for Ranking the Degree of Hazard Associated with Exposure to Carcinogens and Other Toxic Chemicals. EPA/600/D-85/040, NTIS No. PB85-167906.

cc: Howard Hatayama, Regional Administrator
REGION 2/Emeryville
Toxic Substances Control Program
2151 Berkeley Way, Annex 7
Berkeley, CA 94704

Steven Ritchie
Executive Officer
Regional Water Quality Control Board
San Francisco Bay Region
1111 Jackson Street, Room 6040
Oakland, CA 94607

Carl L. Smith, M.D.
Director
Alameda County Health Department
80 Swan Way
Oakland, CA 94607

✓ Lowell Miller
Alameda County Health Department
80 Swan Way
Oakland, CA 94607

NR:nr/tg

THE MARTIN GROUP

August 10, 1989

Mr. Rafat A. Shahid, Chief
Hazardous Materials Division
Department of Environmental Health
Alameda County
80 Swan Way, Room 200
Oakland, CA 94621

RE: MARKETPLACE PROPERTY - EMERYVILLE, CA

Dear Mr. Shahid:

As promised in my letter to you dated August 1, 1989 (copy attached), included for your review is the report from McClaren regarding the water investigations. We think it clarifies the previous analyses and reports, and identifies the issues, information gaps and course of next action.

I understand that Lowell Miller is out of the office this week. Since time has become critical, we have authorized McClaren to perform the necessary additional work (as suggested in the attached report, e.g., drill additional wells and further testing of the water). I will call you or Lowell on Monday to set up a meeting early to mid next week to discuss the included McClaren Report. If you have any questions, please call me.

Sincerely,



Walter T. Kaczmarek
Partner

Enclosure
IL9490.013

cc: Lowell Miller w/encl
Robert Wyatt w/encl

THE MARTIN GROUP

August 1, 1989

Mr. Rafat A. Shahid, Chief
Hazardous Materials Division
Department of Environmental Health
Alameda County
80 Swan Way, Room 200
Oakland, CA 94621

RE: MARKETPLACE SITE - EMERYVILLE, CA 94608

Dear Mr. Shahid:

Pursuant to our meeting and agreement on Wednesday, June 26, 1989, and in response to your letters dated June 20, 1989 and April 5, 1989 ("Letters"), we have agreed to the following plan for the subject site:

1. Because the site may have pockets of contaminated soils which have not been removed, the entire site will be covered by either asphalt or concrete except in landscaped areas. The top 18 inches of landscaped areas will be clean soil. Additionally, a deed restriction will be placed on the property which will indicate that potentially hazardous material may exist below grade on the property. It will also indicate a health and safety plan is in effect for the property on construction activities which require going below grade, and that such plan is available at the owner/property manager's office or the offices of the Alameda County Hazardous Materials Unit. *Not any
circumstances*
2. In regards to violation #1 referenced in your "Letters", we are currently characterizing the asphaltic material. The last unresolved characteristic of the substance is whether or not it's PNA levels are non-hazardous. We will work directly with the State Department of Health Services in resolving this PNA issue. Mr. Norman Riley at the Department of Health Services, Toxic Substance Division, Waste Evaluation Unit, 714/744 P Street, P.O. Box 942732, Sacramento, California 94234-7320, is our primary contact reviewing this issue. *the whole
thing is to
be decided
according
to Title
22 criteria*
3. In regards to Violations 2 thru 6 in your "Letters", we do not believe such violations occurred. We believe we have followed appropriate regulations for removal and transport of material from the site. However, to clarify what has been done, we have included a report by Earth Metrics which summarizes (in detail) how removal and transporting of excess material from the site was accomplished. We believe the report will clarify what has occurred and will demonstrate the due diligence which was used. *OK*

4. In regards to Violation 7 in your "Letters", disposal of material stored in underground structures dating to the 1920s occurred well before our ownership of the property. However, our site characterization and plan of action for addressing contamination or potential contamination on the site is comprehensive and indicates what hazardous substances are on the site and how such substances were or will be remediated or handled. Thus, we do not believe we are in violation of this item.
5. In regards to Violation 8 of your "letters", again our characterization and plan of action address how hazardous materials on site are or were handled. A specific course of action has been agreed to for hazardous material on site. Thus, we do not believe we are in violation of this item.
6. We agree to provide you with a report from McClaren which will summarize relevant results of our water investigations, present conclusions based on technical data, identify data gaps and provide recommendations for additional investigations (if needed). Such report is expected to be complete by August 11, 1989. If the RWQCB will act as the lead agency on the water issues, we will work through it. If it will not, we will work directly through your department at Alameda County. Preliminary discussions with RWQCB (Lester Feldman) indicate it would prefer your department to be the lead agency. Thus, unless we can convince RWQCB otherwise, we will work through you.

NO
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material
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non H state
and

DONE

This is our understanding of our agreed upon plan of action for the subject site. If you have any questions, please do not hesitate to call me.

Sincerely,



Walter T. Kaczmarek
Partner
CHRISTIE AVENUE PARTNERS

IL9454.012

cc: Lowell Miller
Robert Wyatt

P.S. On May 3, 1989 we issued the County a check for \$1,120 to cover additional County costs in reviewing this project. A copy of the check is included.

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



DEPARTMENT OF ENVIRONMENTAL HEALTH
Hazardous Materials Program
80 Swan Way, Rm. 200
Oakland, CA 94621
(415) 271-4320

Certified Mailer # P 833 981 459

June 21, 1989

Mr. Walter Kaczmarek
The Martin Company
6475 Christie Avenue
Emeryville, CA 94608

RE: Unauthorized release from contaminated soil at Parcels 1, 2;
Judson Steel Site

Dear Mr. Kaczmarek:

The Alameda County Department of Environmental Health has received from your office The Environmental Risk Assessment prepared by Earth Metrics, Inc. dated January, 1988. The Department has also issued to you an approved tank closure plan on 4/15/88. A letter from you dated July 1, 1988 indicated that you would shortly begin development on the site. A preliminary site assessment done by Earth Metrics also indicated that there may be substantial subsurface contamination on the site.

Discovery of hazardous wastes on a site constitutes evidence of a previous unauthorized disposal. As the current site owner, you are responsible for the proper handling and disposal of such wastes. In accordance with Sec. 66328, a plan of correction must be submitted to this office within 30 days of the discovery of the contamination. (Title 23 of the California Code of Regulations requires all such unauthorized releases from underground tanks to be reported. An unauthorized release report must be filed with this office within 5 days of the date of this letter; in addition, you must initiate further investigation and/or cleanup activities at this site.)

First, a complete assessment should be conducted to determine the extent of soil and groundwater contamination that has resulted from the contaminated soil. The information gathered by this investigation will be used to assess the need for additional actions at the site. The assessment should be designed to provide all of the information in the format shown in the attachment at the end of this letter. This format is based on the Regional Water Quality Control Board (RWQCB's) guidelines. You should be prepared to install one monitoring well, if you can verify the direction of groundwater flow in the immediate vicinity of the site, and three wells or piezometers, if you cannot.

Until cleanup is complete, you will need to submit reports to this office and to the RWQCB every three months (or at a more frequent interval, if specified at any time by either agency). These

Mr. Walter Kaczmarek
June 21, 1989
Page 2 of 2

reports should include information pertaining to further investigative results; the methods and costs of cleanup actions implemented to date; and the method and location of disposal of any contaminated material.

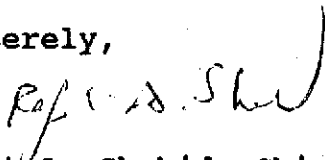
Soils contaminated at hazardous waste concentrations should be transported by a licensed hazardous waste hauler and disposed of or treated at a facility approved by the California Department of Health Services. Soils contaminated below the hazardous waste threshold may be managed as nonhazardous, but are still subject to the RWQCB's waste discharge requirement.

A report describing the results of the preliminary site assessment should be submitted by July 15, 1989. Copies of the proposal and report should also be sent to the RWQCB (Attention: Dyan Whyte).

Failure to submit a plan of correction prior to the initiation of development activities on the site and written approval by the Alameda County Department of Environmental Health, may result in a cessation of all development activities until such approval is obtained. Please allow three weeks for the Alameda County review process. In order to avoid unnecessary delay in the review process, please be sure to have your environmental reports complete. Missing, incomplete or confusing reports will result in extending the review process. The importance of obtaining well qualified environmental expertise in this matter cannot be underestimated.

If you have any questions about this matter, please contact Lowell Miller of my office at 271-4320.

Sincerely,



Rafat A. Shahid, Chief
Hazardous Materials Division

RAS:lm:mam

Enclosure

cc: Howard Hatayama, DOHS (w/o enclosure)
Dyan Whyte, San Francisco Bay RWQCB (w/o enclosure)
Gil Jensen, Alameda County District Attorney, Consumer and
Environmental Protection Division (w/o enclosure)

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



June 20, 1989

DEPARTMENT OF ENVIRONMENTAL HEALTH
Hazardous Materials Program
80 Swan Way, Rm. 200
Oakland, CA 94621
(415) 271-4320

Mr. Walter Kaczmarek
The Martin Company
6475 Christie Ave., Ste. 500
Emeryville, CA 94608

Dear Mr. Kaczmarek:

As we discussed in our meeting of May 2, 1989, the following is a clarification of those items discussed at that time. For purposes of this letter, I will refer to the numbered items from my letter of April 5, 1989.

Item 1:

- a) The Total Fuel Hydrocarbons of 1 - 630 ppm were found in a pit from which tanks were removed in the Nielsen portion of the site.
- b) There was no Well B-1. B-1 was a 4-foot deep boring described in the 8/12/87 report.
- c) The drilling logs in nearby Well 8 noted kerosene and solvent odors throughout the depth of the well. The bottom of the well was 13 feet. This well showed the following contamination (Table 1).

Table 1

<u>Contaminant</u>	<u>ppb</u>
acenaphthene	2
benzo(a)anthracene	2
benzo(b)fluoranthene	1
benzo(k)fluoranthene	1
chrysene	2
fluorine	9
fluoranthene	4
naphthalene	30
phenanthrene	5
pyrene	5

The well is covered with silt as indicated in a communication from Marc Papineau on 5/1/89.

- d) The groundwater wells 6A and 7 showed lead and chromium contaminations in the ranges of 0.02 - 0.08 and 0.10 - 0.7 ppm respectively.

Item 2: Well B-5M (formerly known as Well B-5):

- a) Well B-5 had been misnamed; it should be called Well B-5M. This well had floating oil on it. This oil was analyzed by Alameda County Health Department as indicated in items 3 and 6 of the April 5, 1989 letter from Woodward-Clyde Consultants as reported in Table 5C as B-5M Oil in the 8/27/87 report, and by Pat Sheehan of Aqua Terra Technologies (ATT) in his 7/11/88 report.

Oil Analyses:

- 1) The Woodward-Clyde report on the oil showed 170 ppm chrysene, 170 ppm fluoroanthene, and 440 ppm pyrene.
 - 2) The Alameda County analysis showed 2% volatile materials in the kerosene boiling range (180-300 deg. C) and showed 3.8 meq KOH.
 - 3) The ATT report showed a flashpoint of 90 deg. C and 220 ppm 2-methylnapthalene by EPA extraction method 3580 and GC/MS analysis method 8270.
- b) Groundwater Analyses: The groundwater in Well B-5M showed chrysene and fluorine at 5 ppb and 18 ppb respectively as indicated in Table 5C of the Woodward-Clyde 8/12/87 report.

Item 4:

No additional sampling by Earth Metrics was done. The sample results referred to here were obtained by Woodward-Clyde Consultants. Arsenic was found at 3.1 ppm, lead at 1.16-2.90 ppm, copper at 3.88-127.5 ppm, and zinc at 11.10 ppm. In addition, total halogenated organics were measured in ranges from 0.089-433.0 ppm.

Item 5:

Six wells, in various conditions, remain on the site. Their use regarding monitoring purposes remains to be determined.

Item 7:

Contaminated soil in the range of not detectable to 8600 ppm of Total Fuel Hydrocarbons were found under the diesel manifold in the Nielsen portion of the site. The soil was excavated, stockpiled, and aerated via a bioremediation process performed by Groundwater Technologies, Inc.

Item 8:

Borings EM1-EM8 done by Earth Metrics showed tars and oil bearing materials at varying thickness from depths of 0.5 to 7.0 feet.

Walter Kaczmarek
June 20, 1989
Page 3

New Item:

Metal analyses of soils taken during construction of soils from Borings EM1-EM8 showed copper at 46,819 ppm, lead at 2,189 ppm, and mercury at 40 ppm.

New Item:

ATT examined the characteristics of three samples: the oil-like materials from Well B-5M, a soil sample from EM 4, and a soil sample from a test pit E1. The results are summarized in Table 2.

I believe the above items constitute the data that we agreed has been collected up to date on this site.

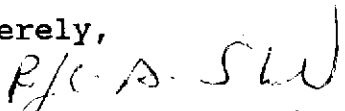
It is the opinion of the Alameda County Department of Health that this data sufficiently indicates that there is soil and groundwater contamination on the site and that violations numbered 1, 7 and 8 in our April 5, 1989 letter have still not been addressed. If you believe violations numbered 2 through 6 have been addressed, please respond in writing to these with supporting documentation.

If you believe that the material deposited on the site does not constitute hazardous waste, you will need written statements from the San Francisco Regional Water Quality Control Board and the California Department of Health Services that, based on the data submitted to the Alameda County Department of Health Services, the material remaining on the site is not hazardous waste and does not constitute a threat to groundwater or the environment.

In accordance with Sec. 66328, a Plan of Correction must be submitted by July 23, 1989. The Plan should specify the actions taken to address the above violations and the expected dates of completion.

If you have any questions on this matter, please call Lowell Miller, Senior Hazardous Materials Specialist, at 415/271-4320.

Sincerely,



Rafat A. Shahid, Chief
Hazardous Materials Division

RAS:lm:lms

cc: Lisa McCann, SFRWQCB
Howard Hatayama, DOHS

BROBECK, PHLEGER & HARRISON

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April 18, 1989

Rafat A. Shahid, Chief
Alameda County Health Care Services
Department of Environmental Health
Hazardous Materials Program
80 Swan Way, Room 200
Oakland, CA 94621

Re: Marketplace Site - Emeryville, CA 94608
(Martin Company, Developers)

Dear Mr. Shahid:

This letter is in reply to yours dated April 5, 1989 as received by me on April 12, 1989, relative to the above-referenced matter. The purpose of this letter is to provide information in response to Items 1 through 9 set forth in Part I of your letter. Mr. Walter Kaczmarek of The Martin Group has requested Earth Metrics, Inc., Groundwater Technology, Inc., and Dr. Patrick Sheehan to provide these technical comments, as appropriate. Copies of their responses are attached to this letter for your information and review. These responses should provide the basis of discussion for our meeting on April 19. If there are any remaining factual questions after the meeting, The Martin Group will be pleased to provide supplemental written responses.

With respect to Part II of your letter, which refers to various sections of Titles 22 and 23 of the California Code of Regulations and brings to our attention certain provisions of the California Health and Safety code, we believe that discussions on these matters are best deferred until after our meeting on April 19, 1989. We make this suggestion because we believe that the accompanying responses from the consultants should resolve the technical issues raised by Part I of your letter.

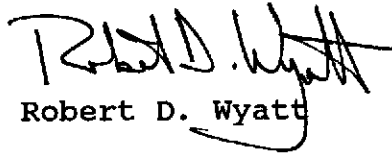
As you know, in the process of developing The Marketplace, The Martin Group has undertaken at considerable expense to investigate and remedy unacceptable environmental

Rafat A. Shahid
April 18, 1989

Page 2

conditions which were not of the Company's making. The Martin Group has undertaken these activities in a spirit of good faith and cooperation and is every bit as concerned as the County with assuring that the area provides a safe and healthful environment for future users of the property. In this regard, your office may rest assured that The Martin Group will continue to provide this cooperation, and looks forward to the meeting on the 19th to clarify any technical questions which may exist.

Very truly yours,



Robert D. Wyatt

RDW:plw

Enclosures

cc: Lowell Miller, Alameda County
Walter T. Kaczmarek, The Martin Group
Michael Hogan, Earth Metrics, Inc.
Mark Papineau, Earth Metrics, Inc.
Patrick Sheehan, Ph.D., McClaren Engineers
Steve Fischbein, Groundwater Technology
Lisa McCann, SFRWQCB
Howard Hatayama, State DOHS
Gil Jensen, Alameda County District Attorney,
Consumer and Environmental Protection Division

Earth Metrics' Response to Alameda County Letter
Dated April 5, 1989 Regarding Site Assessment
and Remediation Plan at the Marketplace, Emeryville, CA

Part I. Groundwater Contamination

1. a) The County refers to well B-1 in the WCC, August 12, 1987 report (page E-5). There is no well B-1. Boring B-1 was a shallow boring of four feet which was not analyzed by WCC (see Appendix A of WCC report).

- b) The WCC report of TPH from 1 ppm to 630 ppm relates to fuel hydrocarbon tests for groundwater collected in the diesel tank excavation pit (WCC August 12, 1987 report, p. E-5). On April 14, 1988 Earth Metrics resampled the diesel excavation pit and found 7.7 ppm of diesel. Thereafter, the residual water in the pit was pumped and disposed of by H&H Ship Service, as reflected by the Uniform Hazardous Waste Manifest No. 87891387 dated May 6, 1988. After the water had been pumped, two soil samples were taken from the pit bottom. Test results indicated 16 ppm and 96 ppm (diesel).

- c) Well 8 is at least 500 feet from boring B-1. We see no technical relationship between B-1 and W-8.

- d) As noted in the County letter, wells 6A and 7 have shown the presence of lead and chromium. However, in our view, the significant fact is that wells 2, 3, 5, 8 and a water sample from boring B-5 were free of such materials (WCC August 12, 1987 report, Appendix C). Therefore, the data do not support a conclusion regarding the "existence of soil and groundwater contamination on most areas of the site." Given the known land-use history and the extensive site assessment performed over the years by several consultants, Earth Metrics believes that the site contamination has been fairly characterized. See also WCC August 12, 1987 report at E-4.
2. a) The history of well B-5 is unclear. Based on the WCC report dated August 12, 1987, it appears that B-5 was a soil boring only; no drilling log was attached to the report, and it is not clear whether the boring was ever developed as a well. Earth Metrics has attempted to locate B-5 without success.
- b) Earth Metrics has been unable to locate the chain of custody for the sample B-5, and will seek that information from WCC.
- c) Earth Metrics understands the reported groundwater data for B-5 to be 5 ppb (chrysene), 18 ppb (fluorene) and

Not Detected (phenanthrene) in contrast to the values reported in the County letter. See Table 5C in WCC report dated August 12, 1987.

- d) Earth Metrics understands Dr. Sheehan will be responding on the reported presence of PNAs.
- 3.
- a) There are ambiguities regarding the wells identified as 5M, B-5 and B5M in the WCC report. The data associated with such wells are also ambiguous. For example, it is not clear whether asphaltic materials were identified in well 5M only, or whether any additional wells show the presence of this material. Earth Metrics will seek clarification from WCC.
 - b) Earth Metrics has not been provided with a copy of the County's test results, and therefore cannot comment.
 - c) Earth Metrics believes the proper characterization of the material described as "floating oil" in the County letter should be "asphaltic material" or "asphaltic liquid." We make this observation based on two reasons: (i) the known land-use history, and (ii) the observed hardening of the material when exposed to air.

4. The comment is not clear as to which wells are being addressed. Based upon our review of the data we believe the following responses are appropriate:

a) The data cited by the County do not reflect general groundwater conditions. Only the asphaltic material, found floating on the ground water in one well at the Marketplace, had the cited levels of arsenic and halogenated organics. All other values for arsenic were under 0.060 ppm; for halogenated organics, all other values were less than 0.097 mg/L. With respect to lead and zinc, only samples from W-12 and the asphaltic material had the levels cited by the County. None of the samples from the Neilsen wells, with the possible exception of the asphaltic material from B-5, had levels of copper above 0.160 ppm.

b) In our view these reported values referred to in the County's item No. 4 are not reflective of the data generally for the site, but rather reflect findings peculiar to the asphalt encountered in at most two wells.

5. There has been a total of fourteen groundwater monitoring wells developed during the course of site characterization. Of these wells, four (Nos. 12, W3, W6 and W6A) were apparently destroyed during the movement of heavy

construction equipment on site. Six groundwater monitoring wells remain (Nos. 5, 5A, 10, W1, W7 and W8) and provide representative locations for the purpose of additional monitoring activities should the need exist. Four wells have been closed (Nos. W2, W4, W5 and W5A) pursuant to agreement review and approval by the County (see Final Proposal to Remediate the Marketplace and Neilsen Sites, May 16, 1988). Not included in the above discussion are the vadose zone wells (Nos. B2, B3 and B4), two of which remain available for sampling.

Response to "Comments"

Earth Metrics' response is divided into three basic elements. First, underground storage tank removal and closure were performed under review and approval by the County. Contaminated groundwater was pumped and disposed of off-site, and the test result of the remaining water indicated 7.7 ppm (diesel). Two pit soils were tested at 16 ppm and 96 ppm (diesel). The diesel pit was then backfilled with County approval. The gasoline and oil tank pits had previously been backfilled after receipt of County approval on April 18, 1988.

Second, the issues discussed under comments Nos. 1 through 5 do not distinguish underground fuel tank data from asphaltic material data. As discussed above, the issues are separate and confusion could arise unless analyzed separately.

Third, with respect to the issue of fuels, the underground fuel tank removal and remediation activities follow

very closely the referenced Regional Board guidance documents. It is Earth Metrics' belief that all information required by the guidance documents has been supplied, but we would be pleased to supplement our previously submitted reports.

Finally, we note that the groundwater is brackish and has no known existing or potential beneficial uses.

6. As noted above, Earth Metrics has not been provided any County sample analyses relating to well 5M, or any other data generated by the County. We understand that Dr. Sheehan will be responding to the findings reported in the County letter.

7.
 - a) The gas and diesel manifolds were over-excavated. Remaining soils were tested and found to be 25 ppm or below for diesel and gasoline. All excavated soil was moved to another portion of the Marketplace site for landfarming and aeration as approved by the County.

 - b) Mr. Wyatt's statement in his March 10, 1989 letter to the County was in error regarding movement of the aerated soil to the Shellmound site. In fact, after aeration and testing to assure contamination levels were below 10 ppm, this soil was consolidated and was disposed at the Richmond landfill. None of the aerated material was moved to the Shellmound site.

8. a) The metals findings above TTLC refer only to EM-8. The metals findings are unrelated to the "asphaltic substance."
- b) Earth Metrics assumes that "thickness contours" refers to an area containing asphaltic substances in soil. Based on the data, this area appears to be confined to easternmost portion of the site. This area is covered either by pavement, landscaped areas containing eighteen inches of soil, or building pads.
- c) With respect to the Aqua Terra sample borings cited in the County letter of April 5, these borings relate exclusively to asphaltic substance characterization and are unrelated to the metals findings for EM-8. Sheehan is addressing this subject separately.
9. Data concerning the chemical characteristics of the soils sent to Anderson landfill and the "loose tar paper fragments" were sent to Mr. Lowell Miller of the County on July 22, 1988. Copies of these same reports had previously been sent to Mr. Dennis Byrne during Mr. Miller's extended absence from the office.

J. M. COHEN, Inc.

ENVIRONMENTAL & OCCUPATIONAL HEALTH SERVICES

4/27/89

DEPT. OF ENVIRONMENTAL HEALTH
HAZARDOUS MATERIALS

April 14, 1989

Mr. Lowell Miller
Alameda County Health Department
470 27th St., Room 322
Oakland, CA 94612

Re: Emeryville Marketplace site report for the week of April 10,
1989.

Dear Mr. Miller:

The following is a summary of activities at the Emeryville Marketplace site for the week of April 10, 1989. Landscaping projects conducted this week did not encounter any soil contamination.

Please feel free to contact me at (415) 349-9737 if you have any questions regarding this matter, or I may be of further assistance.

Sincerely,



Al Toy
Project Environmental Monitor

J.M. Cohen, Inc.
155 Bovet Rd., Suite 300
San Mateo, CA 94402

cc: R. Hughes, Groundwater Technology, Inc.
W. Kaczmarek, The Martin Co.
G. Raymond, J.M. Cohen, Inc.
P. Sheehan, Aqua Terra Technologies
R. Wyatt, Brobeck, Pheleger & Harrison

BROBECK, PHLEGER & HARRISON

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(714) 752-7535

April 13, 1989

Lowell Miller
Alameda County Department of
Environmental Health
Hazardous Materials Division
80 Swan Way
Oakland, CA 94621

RE: "Environmental Assessment, Former Nielsen
Freight Line, Site And Adjacent Parcel"
August 12, 1987; "Recommendations for
Underground Storage Tank Closure, Former
Nielsen Freight Lines Trucking Facility,
Emeryville, California," August 26, 1987

Dear Mr. Miller:

Mr. John McMillan of Woodward-Clyde confirmed that the two above-referenced Woodward-Clyde reports that you have contain all the data which they generated. In addition, the references to (WCC, 1987) on p. 8 of the August 12, 1987 report refers to a second draft of the August 26, 1987 final report. As that final report is a complete replacement of the second draft. You have all the Woodward-Clyde data.

Sincerely,

Eileen M. Nottoli
Eileen M. Nottoli

EMN:eb

cc: Walter Kaczmarek
Robert Wyatt
John McMillan

SEARCHED
SERIALIZED
4.14.89
FBI - OAKLAND

BROBECK, PHLEGER & HARRISON

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PALO ALTO, CALIFORNIA 94303
(415) 424-0160

EAST BAY OFFICE
4309 HACIENDA DRIVE
SUITE 350
PLEASANTON, CALIFORNIA 94566
(415) 463-1991

NEWPORT BEACH OFFICE
4675 MACARTHUR COURT
SUITE 1000
NEWPORT BEACH, CALIFORNIA 92660
(714) 752-7535

April 12, 1989

VIA MESSENGER

Lowell Miller
Alameda County Department of
Environmental Health
Hazardous Materials Division
80 Swan Way
Oakland, CA 94621

Dear Lowell:

Attached are the following documents:

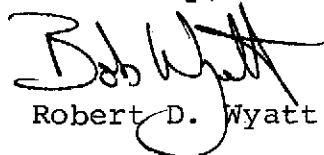
- . A map of the Marketplace
- . Letter from Marc Pappineau to Walter T. Kaczmarek,
dated August 20, 1988.
- . Letter from David D. Drury and Steven Fischbein,
dated July 5, 1988.

When we get confirmation from Woodward-Clyde that you
have all available data on soil and groundwater analyses, we
will advise.

We look forward to seeing you at 9:00 a.m. on April 19,
1989.

Please call if we can be of further assistance.

Sincerely,


Robert D. Wyatt

RDW:eb
Enclosures

cc: Walter Kaczmarek

4.12.89

J. M. COHEN, Inc.

ENVIRONMENTAL & OCCUPATIONAL HEALTH SERVICES

4/17/89

ALAMEDA COUNTY
DEPT. OF ENVIRONMENTAL HEALTH
HAZARDOUS MATERIALS

April 7, 1989

Mr. Lowell Miller
Alameda County Health Department
470 27th St., Room 322
Oakland, CA 94612

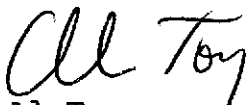
Re: Emeryville Marketplace site report for the week of April 3,
1989.

Dear Mr. Miller:

The following is a summary of activities at the Emeryville Marketplace site for the week of April 3, 1989. Landscaping projects conducted this week did not encounter any soil contamination.

Please feel free to contact me at (415) 349-9737 if you have any questions regarding this matter, or I may be of further assistance.

Sincerely,



Al Toy
Project Environmental Monitor

J.M. Cohen, Inc.
155 Bovet Rd., Suite 300
San Mateo, CA 94402

cc: R. Hughes, Groundwater Technology, Inc.
W. Kaczmarek, The Martin Co.
G. Raymond, J.M. Cohen, Inc.
P. Sheehan, Aqua Terra Technologies
R. Wyatt, Brobeck, Pheleger & Harrison

ALAMEDA COUNTY
HEALTH CARE SERVICE

AGENCY

DAVID J. KEARS, Agency Director



DEPARTMENT OF ENVIRONMENTAL HEALTH
Hazardous Materials Program
30 Swan Way, Rm. 200
Oakland, CA 94621
(415) 271-4320

Certified Mailer #P 833 981 381

April 5, 1989

Mr. Robert D. Wyatt
Brobeck, Phleger, & Harrison
One Market Plaza
San Francisco, CA 94105

SUBJECT: MARKET PLACE SITE - EMERYVILLE, CA 94608
(MARTIN COMPANY, DEVELOPERS)

Dear Mr. Wyatt:

This Notice will serve as a response to your March 10, 1989 request for the Alameda County Health Department Approval of the Market-place Site Remediation. A formal review of the submitted documents shows that, although some elements of your remediation plan are adequate, other elements have not been satisfactorily performed. Throughout the course of this project, extensive informal comments and meetings concerning the plans and other aspects of the project have been transmitted to Mr. Marc Papineau of Earth Metrics, Inc. This notice will be divided into two parts; the first part will present a brief summary of the site history and the environmental studies submitted to date and will address deficiencies where relevant; the second portion will identify violations of California Law and regulations and request a plan of correction to remedy those violations.

Part I

The Marketplace site has had a history of industrial activity dating to the 1920's. Of principal concern for purposes of this project were the existence on the northern portion of a manufacturer (Pabco Inc.) of tar paper who also blended oil based paints and enamels. This also included a crude asphalt distillation plant which distilled crude asphalt into tar and other hydrocarbon fractions. Much later a nearby portion of the site was used by a trucking operation (Nielsen Freight Lines) which used underground fuel and waste oil tanks. The tanks and most associated piping were removed during early 1987. Reports concerning underground tank removal and the Pabco areas were submitted by Woodward Clyde Consultants. Studies by Earth Metrics on the soil contamination, including additional groundwater studies, were done Earth Metrics, Inc. Additional studies on the

Mr. Robert D. Wyatt
RE: Market Place Site
Emeryville, CA 94608
April 5, 1989
Page 2 of 6

characteristics of residual oils found on the site were done by Aqua Terra Technologies. Earth Metrics also contracted out soil aeration work to Groundwater Technology, Inc.

The principal findings in these studies can be summarized as follows:

Groundwater Contamination

1. Total Fuel Hydrocarbons from 1 - 630 ppm were found in well B-1 of the WCC 8/12/87 study. Drilling logs in nearby well 8 showed a kerosene-like odor. The groundwater wells 6A and 7 showed lead and chromium contaminations in the ranges of 0.02 - 0.08 ppm and 0.1 - 0.7 ppm respectively. Examination of the drilling logs and observations of the industrial hygienist on scene verified the existence of soil and groundwater contamination on most areas of the site.
2. Well B-5 showed concentrations of polynuclear aromatic hydrocarbons in the floating oil above the groundwater in the constructed well. The concentrations in the oil were 170 ppm chrysene, 170 ppm fluorene, and 440 ppm phenanthrene. In the groundwater, there were 2 ppb, 9 ppb, and 5 ppb respectively.
3. Well 5M (WCC 1987) also showed floating oil on it. This well was additionally sampled by the Alameda County Health Department.
4. Additional sampling from the previous Woodward-Clyde groundwater wells were done by Earth Metrics, Inc. Arsenic was found at 3.1 ppm, Copper at 3.88 - 127.5 ppm, Lead at 1.16 - 2.90 ppm, and Zinc at 11.10 ppm. In addition, total halogenated organics were measured at ranges from 0.089 - 433.0 ppm.
5. Wells from which much of the above data was drawn were destroyed during the construction process before further evaluation regarding their potential usefulness in any future groundwater characterization could be determined.

Comments: There is strong evidence for groundwater contamination at the site. The studies submitted on the site do not meet SFRWQCB guidelines for groundwater characterization at the site. Details regarding such a characterization are outlined in the following RWQCB documents: Guidelines for Addressing Fuel Leaks (September 1985) and Regional Board Staff Recommendations for Initial Investigations of Underground Tanks (June 2, 1988). A summary of the major points of these recommendations is attached. Due to the extensive groundwater and soil contamination a complete hydrogeological assessment is required.

Mr. Robert D. Wyatt
RE: Market Place Site
Emeryville, CA 94608
April 5, 1989
Page 3 of 6

The Arsenic, Lead, Copper, and Zinc in the groundwater is consistent with the previous site uses. The pigments Paris Green and Scheele's green are pigments; lead was used as yellow pigments. Zinc is also used as a pigment and in the refining process. These findings are consistent with a paint manufacturing facility that was previously on the premises.

Soil Contamination

6. The floating oil in Well 5M described in item 3 above was analyzed by the Alameda County Health Department Environmental Laboratory. It was found to contain 2% volatile materials in the kerosene boiling range (180 - 300 deg C) and showed 3.8 meg KOH. The kerosene component and the acid content of the oil clearly indicate the hazardous nature of the oil.
7. Total Fuel Hydrocarbon concentrations as reported in the 12/8/87 Earth Metrics report on the tank area showed contamination of gasoline and diesel in ranges from 100 to 8600 ppm. Some of this material was moved to another portion of the site for aeration. The material was aerated by Groundwater Technology, Inc. and, as indicated in your March 10, 1989 letter, moved to the Martin Group's Shellmound site (Judson Steel's Parcels 1 and 2). Although your letter states that the soil was "decontaminated," no laboratory reports were received by this office to support this claim.
8. Borings EM 1 - EM 8 done by Earth Metrics showed tars and oils at various thickness varying from 0.5 feet to 7.0 feet. Metals analyses of this and nearby materials showed Copper at 46,819 ppm, Lead at 2189 ppm, and Mercury at 40 ppm. Thickness contours drawn by Earth Metrics showed major areas of subterranean deposits at the site. Further sample borings of this material was done by Aqua Terra Technologies and a report was issued on July 11, 1988 claiming that this material was nonhazardous.
9. Waste tar papers containing asbestos and "various types of asphaltic materials" were reported on a frequent basis by Al Toy of J. M. Cohen, Inc., and industrial hygienist firm contracted to oversee worker safety aspects during the construction process. As indicated in your March 10, 1989 letter soil which did not contain "significant" levels of heavy metals was sent to Anderson land-fill; loose tar paper fragments were sent to a Class III landfill. Data concerning the chemical characteristics of this material, except for its asbestos content, have not been received by this office.

Mr. Robert D. Wyatt
RE: Market Place Site
Emeryville, CA 94608
April 5, 1989
Page 4 of 6

Comments: There is significant evidence for extensive subterranean contamination at the site which has not been remediated during the construction process. The claim, advanced by Aqua Terra Technologies, that the asphaltic materials are not hazardous, has been reviewed and cannot be substantiated for the following reasons:

- a) Only four of the characteristics identified under California Code of Regulations (CCR), Title 22, Sec. 66696 have been examined. It is the waste producers responsibility to determine if a waste is hazardous according to Section 66305(a). This entails the implementation of all applicable, or potentially applicable, criteria under Article 11.
- b) The pH test submitted is not meaningful since solubility is a principal requirement for pH determination. The oil in question is not appreciably soluble. In addition, our laboratory has determined that the oil has a significant acid content as determined by its KOH equivalent.
- c) Acetone and methylene chloride were identified in the GC-MS scan of the oil. These were not found in any of the previous studies and suggested by ATT as possible laboratory contaminants. Nonetheless, LD 50 calculations were done on these materials and the results used to indicate that the oil was nonhazardous. Previous analyses of the oil showed significant PNA's in the oily material, yet these were not factored into the LD 50 calculations.
- d) The fish toxicity test is also suspect for reasons of solubility. To use this test method on a waste which contains minimal water solubility is questionable and the results inconclusive. It should be noted, however, that there were some observable fish kills during the test which would strongly suggest that the acid component of the oil may be leaching out and creating some toxicity.

Mr. Robert D. Wyatt
RE: Market Place Site
Emeryville, CA 94608
April 5, 1989
Page 5 of 6

Part II

A review of the documents submitted as outlined in Items 1 - 9 of Part I indicates that the following violations of the California Code of Regulations has occurred:

Title 22

1. Sec. 66471 - The nature of the "asphaltic or oily" materials found at the site has not been characterized.
2. Sec. 66480 - Hazardous waste was transported from the Market-place site to the Judson Steel site without a manifest. Other hazardous wastes were taken to Anderson Landfill without a manifest.
3. Sec. 66481 - A manifest was not completed for the transport listed in Item 2.
4. Sec. 66484 - Manifest procedures were not followed.
5. Sec. 66492 - Recordkeeping procedures regarding the manifest were not followed.
6. Sec. 66508 - An accumulation time for the transported hazardous waste was not provided.

Title 23

7. Sec. 25298(c)(i) - The hazardous substances which were stored in the underground structures dating to the 1920's (asphaltic oils, etc.) were not properly disposed of.

Health & Safety Code

8. Sec. 25189.5 - Hazardous materials were undercovered during the construction process and then recovered. Hazardous materials may not be disposed at a facility without a permit.

In accordance with Sec. 66328, a Plan of Correction must be submitted to this office within 30 days of the receipt of this letter. The plan

Mr. Robert D. Wyatt
RE: Market Place Site
Emeryville, CA 94608
April 5, 1989
Page 6 of 6

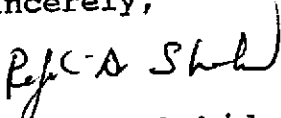
should specify the actions to be taken to address the above violations and the expected dates of completion.

Your attention is directed to Sections 25814, 25819, and 25191 of the California Code of Regulations which provides for civil and criminal penalties of up to \$25,000 per day per violation of its regulations.

Failure to properly close an underground tank as required by Section 25298 may result in a penalty of \$5,000 per day.

We have scheduled a meeting for April 19, 1989 in our office. If you have any questions on this matter, please contact Lowell Miller, Senior Hazardous Materials Specialist at 415/271-4320.

Sincerely,


Rafat A. Shahid, Chief
Hazardous Materials Division

LM:lm

cc: Lisa McCann, SFRWQCB
Howard Hatayama, State DOHS
Gil Jensen, Alameda County District Attorney, Consumer and
Environmental Protection Division

Attachment

WORK PLAN FOR INITIAL SUBSURFACE INVESTIGATION

This outline should be followed by professional engineering or geologic consultants in preparing work plans to be submitted to the RWQCB and local agencies. Work plans should be signed by a California-registered engineer or geologist.

This outline should be referred to in context with the "Regional Board Staff Recommendations for Initial Evaluation and Investigation of Underground Tanks" (June 2, 1988).

PROPOSAL FORMAT

I. Introduction

- A. State the scope of work
- B. Provide information on site location, background, and history
 1. Describe the type of business and associated activities that take place at the site, including the number and capacity of operating tanks.
 2. Describe previous businesses at the site.
 3. Provide other tank information:
 - number of underground tanks, their uses, and construction material;
 - filing status and copy of unauthorized release form, if not previously submitted;
 - previous tank testing results and dates, including discussion of inventory reconciliation methods and results for the last three years.
 4. Other spill, leak, and accident history at the site, including any previously removed tanks.

II. Site Description

- A. Describe the hydrogeologic setting of the site vicinity
- B. Prepare a vicinity map (including wells located on-site or on adjoining lots, as well as any nearby streams)
- C. Prepare a site map

D. Summarize known soil contamination and results of excavation

1. Provide results in tabular form and indicate location of all soil samples (and water samples, if appropriate). Sample dates, the identity of the sampler, and signed laboratory data sheets need to be included, if not already in possession of the County.
2. Describe any unusual problems encountered.
3. Describe methods for storing and disposing of all contaminated soil.

III. Plan for Determining Extent of Soil Contamination

A. Describe method for determining the extent of contamination within the excavation

B. Describe sampling methods and procedures to be used

1. If a soil gas survey is planned, then:

- identify number of boreholes, locations, sampling depths, etc.;
- identify subcontractors, if any;
- identify analytical methods;
- provide a quality assurance plan for field testing.

2. If soil borings are to be used to determine the extent of soil contamination, then:

- identify number, location (mapped), and depth of the proposed borings;
- describe the soil classification system, soil sampling method, and rationale;
- describe the drilling method for the borings, including decontamination procedures;
- explain how borings will be abandoned.

C. Describe how clean and contaminated soil will be differentiated, and describe how excavated soil will be stored and disposed of. If on-site soil aeration is to be used, then describe:

1. The volume and rate of aeration during;
2. The method of containment and cover;
3. Wet-weather contingency plans;
4. Results of consultation with the Bay Area Air Quality Management District.

Other on-site treatments (such as bioremediation) require permits issued by the RWQCB. Off-site storage or treatment also requires RWQCB permits.

- D. Describe security measures planned for the excavated hole and contaminated soil

IV. Plan for Characterizing Groundwater Contamination

Construction and placement of wells should adhere to the requirements of the "Regional Board Staff Recommendations for Initial Evaluation and Investigation of Underground Tanks."

- A. Explain the proposed locations of monitoring wells (including construction diagrams), and prepare a map to scale
- B. Describe the method of monitoring well construction and associated decontamination procedures
 1. Expected depth and diameter of monitoring wells.
 2. Date of expected drilling.
 3. Locations of soil borings and sample collection method.
 4. Casing type, diameter, screen interval, and pack and slot sizing technique.
 5. Depth and type of seal.
 6. Development method and criteria for determining adequate development.
 7. Plans for disposal of cuttings and development water.
 8. Surveying plans for wells (requirements include surveying to established benchmark to 0.01 foot).
- C. Groundwater sampling plans
 1. Water level measurement procedure.

2. Well purging procedures and disposal protocol.
3. Sample collection and analysis procedures.
4. Quality assurance plan.
5. Chain-of-custody procedures.

V. Prepare a Site Safety Plan

ALAMEDA COUNTY DEPARTMENT OF ENVIRONMENTAL HEALTH
 HAZARDOUS MATERIALS DIVISION
 80 SWAN WAY, ROOM 200
 OAKLAND, CA 94621
 (415) 271-4320

BUSINESS PLAN - PART I

1. Business Name Christie Avenue Partners
 Site Address 5800 Shellmound Street - 64th Street & Christie Avenue
 City Emeryville Zip 94608
 Mailing Address 6475 Christie Avenue, Suite 500
 City Emeryville Zip 94608
2. Contact Person Walter Kaczmarek Phone No. (415) 652-5852
3. Total Area of Business in Square Feet Approx. 220,000 square feet of retail and office
4. Hazardous Materials/Waste Storage and Handling Area in Square Feet:
0
5. HAZARDOUS SUBSTANCES OR WASTES OVER 55 GALLONS*, 500 LBS.* OR 200 CUBIC FEET *

	Gallons* (liquid)	Pounds* (solid)	Cubic Feet* (gaseous)	Number of Items
Hazardous Materials				
Hazardous Waste				
GRAND TOTAL				

CHRISTIE AVENUE PARTNERS 134

OWNER OR OPERATOR'S SIGNATURE *Thomas Brom*

PRINTED NAME Thomas Brom

DATE 4/4/89

* Metric Equivalents may be used

ALAMEDA COUNTY DEPARTMENT OF ENVIRONMENTAL HEALTH
 HAZARDOUS MATERIALS DIVISION
 80 SWAN WAY, ROOM 200
 OAKLAND, CA 94621
 (415) 271-4320

BUSINESS PLAN - PART I

1. Business Name Christie Avenue Partners
 Site Address 5800 Shellmound Street - 64th Street & Christie Avenue
 City Emeryville Zip 94608
 Mailing Address 6475 Christie Avenue, Suite 500
 City Emeryville Zip 94608
2. Contact Person Walter Kaczmarek Phone No. (415) 652-5852
3. Total Area of Business in Square Feet New Movie Theater - 42,000 (approx)
4. Hazardous Materials/Waste Storage and Handling Area in Square Feet:
0
5. HAZARDOUS SUBSTANCES OR WASTES OVER 55 GALLONS*, 500 LBS.* OR
 200 CUBIC FEET*

	Gallons* (liquid)	Pounds* (solid)	Cubic Feet* (gaseous)	Number of Items
Hazardous Materials				
Hazardous Waste				
GRAND TOTAL				

CHRISTIE AVENUE PARTNERS
 OWNER OR OPERATOR'S SIGNATURE *Thomas Gram*
 PRINTED NAME Thomas Gram
 DATE 4/4/89

* Metric Equivalents may be used

THE MARTIN GROUP

4/10/89

ALAMEDA COUNTY
DEPT. OF ENVIRONMENTAL HEALTH
HAZARDOUS MATERIALS

April 3, 1989

Alameda County
Department of Environmental Health
Hazardous Materials Division
80 Swan Way, Room 200
Oakland, CA 94621

Market site

RE: DOHS - ALAMEDA
BUSINESS PLAN - PART I
SITE I.D. NUMBER - 1764

Ladies and Gentlemen:

We are in receipt of your letter dated February 15, 1989 addressed to the Marketplace site at 64th and Christie, Emeryville, California, Site I.D. Number - 1764. Please be advised that the former owners and users of the site (asphalt refinery and paint facility) have been out of operation for over fifteen years. We are the present owners of the property which has been developed as a mixed use commercial business park. We are just finishing construction of an approximately 42,000 square foot movie theater on the subject site. As Landlords, we do not handle any hazardous material or mixture of hazardous materials so as to become subject to Section 2500 et seq. of the California Health and Safety Code. Accordingly, we have filled out the Hazardous Materials Negative Response form and are returning it to you for your records.

Please don't hesitate to contact me should you have any further questions.

Very truly yours,



THOMAS J. GRAM

LT9201.05

cc: Walter Kaczmarek

THE MARTIN GROUP

4/10/89
ALAMEDA COUNTY
DEPT. OF ENVIRONMENTAL HEALTH
HAZARDOUS MATERIALS

April 3, 1989

Alameda County
Department of Environmental Health
Hazardous Materials Division
80 Swan Way, Room 200
Oakland, CA 94621

RE: DOHS - ALAMEDA
BUSINESS PLAN - PART I
SITE I.D. NUMBER - 1763

market place

Ladies and Gentlemen:

We are in receipt of your letter dated February 15, 1989 addressed to the Nielsen site at 64th and Christie, Emeryville, California, Site I.D. Number - 1763. Please be advised that the Nielsen Trucking facility is no longer in existence and has been out of operation since approximately January, 1988. We are the present owners of the property which has been developed as a mixed use commercial business park. We are just finishing construction of an approximately 42,000 square foot movie theater on the subject site. As Landlords, we do not handle any hazardous material or mixture of hazardous materials so as to become subject to Section 2500 et seq. of the California Health and Safety Code. Accordingly, we have filled out the Hazardous Materials Negative Response form and are returning it to you for your records.

Please don't hesitate to contact me should you have any further questions.

Very truly yours,


THOMAS J. GRAM

LT9200.05

cc: Walter Kaczmarek

J. M. COHEN, Inc.

ENVIRONMENTAL & OCCUPATIONAL HEALTH SERVICES

March 31, 1989

Alameda County Health Department
470 27th St., Room 322
Oakland, CA 94612

Attn: Lowell Miller

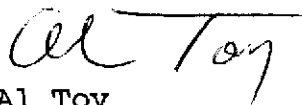
Re: Emeryville Marketplace site report for the week of March 27, 1989.

Dear Mr. Miller:

The following is a summary of activities at the Emeryville Marketplace site for the week of March 27, 1989. Landscaping projects conducted this week did not encounter any soil contamination.

Please feel free to contact me at (415) 349-9737 if you have questions regarding this matter, or I may be of further assistance.

Sincerely,



Al Toy
Project Environmental Monitor

J.M. Cohen, Inc.
155 Bovet Rd., Suite 300
San Mateo, CA 94402

cc: R. Hughes, Groundwater Technology, Inc.
W. Kaczmarek, The Martin Co.
G. Raymond, J.M. Cohen, Inc.
P. Sheehan, Aqua Terra Technologies
R. Wyatt, Brobeck, Pheleger & Harrison

RECEIVED
APR 01 1989

ENVIRONMENTAL HEALTH SERVICES
NORTH COUNTY

ALAMEDA COUNTY
DEPT. OF ENVIRONMENTAL HEALTH
& HAZARDOUS MATERIALS
4/5/89

J. M. COHEN, Inc.

ENVIRONMENTAL & OCCUPATIONAL HEALTH SERVICES

March 15, 1989

Mr. Lowell Miller
Alameda County Health Department
470 27th St., Room 322
Oakland, CA 94612

Re: Emeryville Marketplace site report for the week of March 13, 1989.

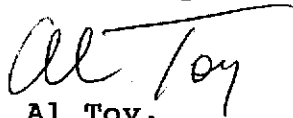
Dear Mr. Miller:

The following is a summary of activities at the Emeryville Marketplace site for the week of March 13, 1989.

Landscaping projects conducted this week did not encounter any soil contamination.

Please feel free to contact me at (415) 349-9737 if you have questions regarding this matter, or I may be of further assistance.

Sincerely,



Al Toy,
Project Environmental Monitor

J.M. Cohen, Inc.
155 Bovet Rd., Suite 300
San Mateo, CA 94402

cc: R. Hughes, Groundwater Technology, Inc.
W. Kaczmarek, The Martin Co.
P. Kelly, S.O.S. International
M. Papineau, Earth Metrics
G. Raymond, J.M. Cohen, Inc.
P. Sheehan, Aqua Terra Technologies
R. Wyatt, Brobeck, Pheleger & Harrison

ALAMEDA COUNTY
DEPT. OF ENVIRONMENTAL HEALTH
SERVICES
3/22/89

J. M. COHEN, Inc.

ENVIRONMENTAL & OCCUPATIONAL HEALTH SERVICES

March 10, 1989

Mr. Lowell Miller
Alameda County Health Department
470 27th St., Room 322
Oakland, CA 94612

Re: Emeryville Marketplace site report for the week of March 6,
1989.

Dear Mr. Miller:

The following is a summary of activities at the Emeryville
Marketplace site for the week of March 6, 1989.

Landscaping projects conducted this week did not encounter any
soil contamination.

Please feel free to contact me at (415) 349-9737 if you have
questions regarding this matter, or I may be of further
assistance.

Sincerely,



Al Toy,
Project Environmental Monitor

J.M. Cohen, Inc.
155 Bovet Rd., Suite 300
San Mateo, CA 94402

cc: R. Hughes, Groundwater Technology, Inc.
W. Kaczmarek, The Martin Co.
P. Kelly, S.O.S. International
M. Papineau, Earth Metrics
G. Raymond, J.M. Cohen, Inc.
P. Sheehan, Aqua Terra Technologies
R. Wyatt, Brobeck, Pheleger & Harrison

ALAMEDA COUNTY
DEPT. OF ENVIRONMENTAL HEALTH
HAZARDOUS MATERIALS

J. M. COHEN, Inc.

ENVIRONMENTAL & OCCUPATIONAL HEALTH SERVICES

March 3, 1989

Mr. Lowell Miller
Alameda County Health Department
470 27th St., Room 322
Oakland, CA 94612

Re: Emeryville Marketplace site report for the week of February 27, 1989.

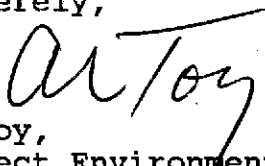
Dear Mr. Miller,

The following is a summary of activities at the Emeryville Marketplace site for the week of February 27, 1989.

Landscaping projects conducted this week did not encounter any soil contamination.

Please feel free to contact me at (415) 349-9737 if you have questions regarding this matter, or I may be of further assistance.

Sincerely,



Al Toy,
Project Environmental Monitor

J.M. Cohen, Inc.
155 Bovet Rd., Suite 300
San Mateo, CA 94402

cc: R. Hughes, Groundwater Technology, Inc.
W. Kaczmarek, The Martin Co.
P. Kelly, S.O.S. International
M. Papineau, Earth Metrics
G. Raymond, J.M. Cohen, Inc.
P. Sheehan, Aqua Terra Technologies
R. Wyatt, Brobeck, Pheleger & Harrison

J. M. COHEN, Inc.

ENVIRONMENTAL & OCCUPATIONAL HEALTH SERVICES

February 24, 1989

Mr. Lowell Miller
Alameda County Health Department
470 27th St., Room 322
Oakland, CA 94612

Re: Emeryville Marketplace site report for the week of November
21, 1988.

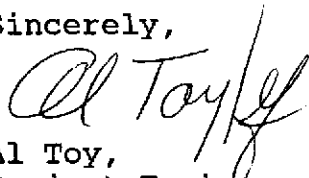
Dear Mr. Miller:

The following is a summary of activities at the Emeryville
Marketplace site for the week of November 21, 1988.

Landscaping projects conducted this week did not encounter any
soil contamination.

Please feel free to contact me at (415) 349-9737 if you have
questions regarding this matter, or I may be of further
assistance.

Sincerely,



Al Toy,
Project Environmental Monitor

J.M. Cohen, Inc.
155 Bovet Rd., Suite 300
San Mateo, CA 94402

cc: R. Hughes, Groundwater Technology, Inc.
W. Kaczmarek, The Martin Co.
P. Kelly, S.O.S. International
M. Papineau, Earth Metrics
G. Raymond, J.M. Cohen, Inc.
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R. Wyatt, Brobeck, Pheleger & Harrison

J. M. COHEN, Inc.

ENVIRONMENTAL & OCCUPATIONAL HEALTH SERVICES

February 24, 1989

Mr. Lowell Miller
Alameda County Health Department
470 27th St., Room 322
Oakland, CA 94612

Re: Emeryville Marketplace site report for the week of November
28, 1988.

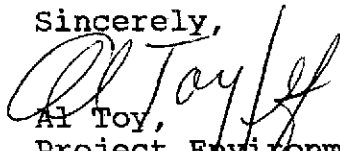
Dear Mr. Miller:

The following is a summary of activities at the Emeryville
Marketplace site for the week of November 28, 1988.

Landscaping projects conducted this week did not encounter any
soil contamination.

Please feel free to contact me at (415) 349-9737 if you have
questions regarding this matter, or I may be of further
assistance.

Sincerely,



Al Toy,
Project Environmental Monitor

J.M. Cohen, Inc.
155 Bovet Rd., Suite 300
San Mateo, CA 94402

cc: R. Hughes, Groundwater Technology, Inc.
W. Kaczmarek, The Martin Co.
P. Kelly, S.O.S. International
M. Papineau, Earth Metrics
G. Raymond, J.M. Cohen, Inc.
P. Sheehan, Aqua Terra Technologies
R. Wyatt, Brobeck, Pheleger & Harrison

J. M. COHEN, Inc.

ENVIRONMENTAL & OCCUPATIONAL HEALTH SERVICES

February 24, 1989

Mr. Lowell Miller
Alameda County Health Department
470 27th St., Room 322
Oakland, CA 94612

Re: Emeryville Marketplace site report for the week of December 5, 1988.

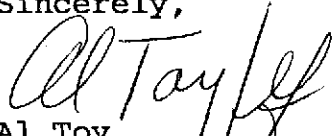
Dear Mr. Miller:

The following is a summary of activities at the Emeryville Marketplace site for the week of December 5, 1988.

Landscaping projects conducted this week did not encounter any soil contamination.

Please feel free to contact me at (415) 349-9737 if you have questions regarding this matter, or I may be of further assistance.

Sincerely,



Al Toy,
Project Environmental Monitor

J.M. Cohen, Inc.
155 Bovet Rd., Suite 300
San Mateo, CA 94402

cc: R. Hughes, Groundwater Technology, Inc.
W. Kaczmarek, The Martin Co.
P. Kelly, S.O.S. International
M. Papineau, Earth Metrics
G. Raymond, J.M. Cohen, Inc.
P. Sheehan, Aqua Terra Technologies
R. Wyatt, Brobeck, Pheleger & Harrison

J. M. COHEN, Inc.

ENVIRONMENTAL & OCCUPATIONAL HEALTH SERVICES

February 24, 1989

Mr. Lowell Miller
Alameda County Health Department
470 27th St., Room 322
Oakland, CA 94612

Re: Emeryville Marketplace site report for the week of December 12, 1988.

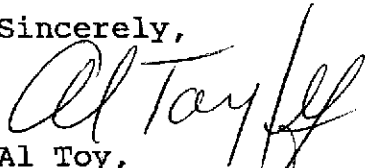
Dear Mr. Miller:

The following is a summary of activities at the Emeryville Marketplace site for the week of December 12, 1988.

Landscaping projects conducted this week did not encounter any soil contamination.

Please feel free to contact me at (415) 349-9737 if you have questions regarding this matter, or I may be of further assistance.

Sincerely,



Al Toy,
Project Environmental Monitor

J.M. Cohen, Inc.
155 Bovet Rd., Suite 300
San Mateo, CA 94402

cc: R. Hughes, Groundwater Technology, Inc.
W. Kaczmarek, The Martin Co.
P. Kelly, S.O.S. International
M. Papineau, Earth Metrics
G. Raymond, J.M. Cohen, Inc.
P. Sheehan, Aqua Terra Technologies
R. Wyatt, Brobeck, Pheleger & Harrison

J. M. COHEN, Inc.

ENVIRONMENTAL & OCCUPATIONAL HEALTH SERVICES

February 24, 1989

Mr. Lowell Miller
Alameda County Health Department
470 27th St., Room 322
Oakland, CA 94612

Re: Emeryville Marketplace site report for the week of December
19, 1988.

Dear Mr. Miller:

The following is a summary of activities at the Emeryville
Marketplace site for the week of December 12, 1988.

Landscaping projects conducted this week did not encounter any
soil contamination.

Please feel free to contact me at (415) 349-9737 if you have
questions regarding this matter, or I may be of further
assistance.

Sincerely,



Al Toy,
Project Environmental Monitor

J.M. Cohen, Inc.
155 Bovet Rd., Suite 300
San Mateo, CA 94402

cc: R. Hughes, Groundwater Technology, Inc.
W. Kaczmarek, The Martin Co.
P. Kelly, S.O.S. International
M. Papineau, Earth Metrics
G. Raymond, J.M. Cohen, Inc.
P. Sheehan, Aqua Terra Technologies
R. Wyatt, Brobeck, Pheleger & Harrison

J. M. COHEN, Inc.

ENVIRONMENTAL & OCCUPATIONAL HEALTH SERVICES

February 24, 1989

Mr. Lowell Miller
Alameda County Health Department
470 27th St., Room 322
Oakland, CA 94612

Re: Emeryville Marketplace site report for the week of December
26, 1988.

Dear Mr. Miller:

The following is a summary of activities at the Emeryville
Marketplace site for the week of December 26, 1988.

Landscaping projects conducted this week did not encounter any
soil contamination.

Please feel free to contact me at (415) 349-9737 if you have
questions regarding this matter, or I may be of further
assistance.

Sincerely,



Al Toy,
Project Environmental Monitor

J.M. Cohen, Inc.
155 Bovet Rd., Suite 300
San Mateo, CA 94402

cc: R. Hughes, Groundwater Technology, Inc.
W. Kaczmarek, The Martin Co.
P. Kelly, S.O.S. International
M. Papineau, Earth Metrics
G. Raymond, J.M. Cohen, Inc.
P. Sheehan, Aqua Terra Technologies
R. Wyatt, Brobeck, Pheleger & Harrison

J. M. COHEN, Inc.

ENVIRONMENTAL & OCCUPATIONAL HEALTH SERVICES

February 24, 1989

Mr. Lowell Miller
Alameda County Health Department
470 27th St., Room 322
Oakland, CA 94612

Re: Emeryville Marketplace site report for the week of January
2, 1989.

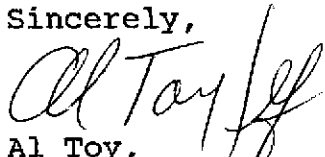
Dear Mr. Miller:

The following is a summary of activities at the Emeryville
Marketplace site for the week of January 2, 1989.

Landscaping projects conducted this week did not encounter any
soil contamination.

Please feel free to contact me at (415) 349-9737 if you have
questions regarding this matter, or I may be of further
assistance.

Sincerely,



Al Toy,
Project Environmental Monitor

J.M. Cohen, Inc.
155 Bovet Rd., Suite 300
San Mateo, CA 94402

cc: R. Hughes, Groundwater Technology, Inc.
W. Kaczmarek, The Martin Co.
P. Kelly, S.O.S. International
M. Papineau, Earth Metrics
G. Raymond, J.M. Cohen, Inc.
P. Sheehan, Aqua Terra Technologies
R. Wyatt, Brobeck, Pheleger & Harrison

J. M. COHEN, Inc.

ENVIRONMENTAL & OCCUPATIONAL HEALTH SERVICES

February 24, 1989

Alameda County Health Department
470 27th St., Room 322
Oakland, CA 94612

Re: Emeryville Marketplace site report for the week of January
9, 1989.

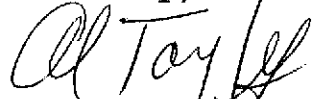
Dear Mr. Miller:

The following is a summary of activities at the Emeryville
Marketplace site for the week of January 9, 1989.

Landscaping projects conducted this week did not encounter any
soil contamination.

Please feel free to contact me at (415) 349-9737 if you have
questions regarding this matter, or I may be of further
assistance.

Sincerely,



Al Toy,
Project Environmental Monitor

J.M. Cohen, Inc.
155 Bovet Rd., Suite 300
San Mateo, CA 94402

cc: R. Hughes, Groundwater Technology, Inc.
W. Kaczmarek, The Martin Co.
P. Kelly, S.O.S. International
M. Papineau, Earth Metrics
G. Raymond, J.M. Cohen, Inc.
P. Sheehan, Aqua Terra Technologies
R. Wyatt, Brobeck, Pheleger & Harrison

J. M. COHEN, Inc.

ENVIRONMENTAL & OCCUPATIONAL HEALTH SERVICES

February 24, 1989

Mr. Lowell Miller
Alameda County Health Department
470 27th St., Room 322
Oakland, CA 94612

Re: Emeryville Marketplace site report for the week of January
16, 1989.

Dear Mr. Miller:

The following is a summary of activities at the Emeryville
Marketplace site for the week of January 16, 1989.

Landscaping projects conducted this week did not encounter any
soil contamination.

Please feel free to contact me at (415) 349-9737 if you have
questions regarding this matter, or I may be of further
assistance.

Sincerely,



Al Toy,
Project Environmental Monitor

J.M. Cohen, Inc.
155 Bovet Rd., Suite 300
San Mateo, CA 94402

cc: R. Hughes, Groundwater Technology, Inc.
W. Kaczmarek, The Martin Co.
P. Kelly, S.O.S. International
M. Papineau, Earth Metrics
G. Raymond, J.M. Cohen, Inc.
P. Sheehan, Aqua Terra Technologies
R. Wyatt, Brobeck, Pheleger & Harrison

J. M. COHEN, Inc.

ENVIRONMENTAL & OCCUPATIONAL HEALTH SERVICES

February 24, 1989

Mr. Lowell Miller
Alameda County Health Department
470 27th St., Room 322
Oakland, CA 94612

Re: Emeryville Marketplace site report for the week of January
23, 1989.

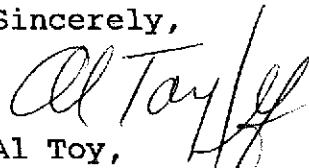
Dear Mr. Miller:

The following is a summary of activities at the Emeryville
Marketplace site for the week of January 23, 1989.

Landscaping projects conducted this week did not encounter any
soil contamination.

Please feel free to contact me at (415) 349-9737 if you have
questions regarding this matter, or I may be of further
assistance.

Sincerely,



Al Toy,
Project Environmental Monitor

J.M. Cohen, Inc.
155 Bovet Rd., Suite 300
San Mateo, CA 94402

cc: R. Hughes, Groundwater Technology, Inc.
W. Kaczmarek, The Martin Co.
P. Kelly, S.O.S. International
M. Papineau, Earth Metrics
G. Raymond, J.M. Cohen, Inc.
P. Sheehan, Aqua Terra Technologies
R. Wyatt, Brobeck, Pheleger & Harrison

J. M. COHEN, Inc.

ENVIRONMENTAL & OCCUPATIONAL HEALTH SERVICES

February 24, 1989

Mr. Lowell Miller
Alameda County Health Department
470 27th St., Room 322
Oakland, CA 94612

Re: Emeryville Marketplace site report for the week of January
30, 1989.

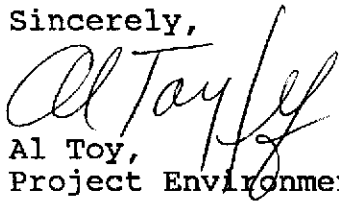
Dear Mr. Miller:

The following is a summary of activities at the Emeryville
Marketplace site for the week of January 30, 1989.

Landscaping projects conducted this week did not encounter any
soil contamination.

Please feel free to contact me at (415) 349-9737 if you have
questions regarding this matter, or I may be of further
assistance.

Sincerely,



Al Toy,
Project Environmental Monitor

J.M. Cohen, Inc.
155 Bovet Rd., Suite 300
San Mateo, CA 94402

cc: R. Hughes, Groundwater Technology, Inc.
W. Kaczmarek, The Martin Co.
P. Kelly, S.O.S. International
M. Papineau, Earth Metrics
G. Raymond, J.M. Cohen, Inc.
P. Sheehan, Aqua Terra Technologies
R. Wyatt, Brobeck, Pheleger & Harrison

J. M. COHEN, Inc.

ENVIRONMENTAL & OCCUPATIONAL HEALTH SERVICES

February 24, 1989

Mr. Lowell Miller
Alameda County Health Department
470 27th St., Room 322
Oakland, CA 94612

Re: Emeryville Marketplace site report for the week of February
6, 1989.

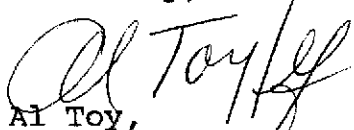
Dear Mr. Miller:

The following is a summary of activities at the Emeryville
Marketplace site for the week of February 30, 1989.

Landscaping projects conducted this week did not encounter any
soil contamination.

Please feel free to contact me at (415) 349-9737 if you have
questions regarding this matter, or I may be of further
assistance.

Sincerely,



Al Toy,
Project Environmental Monitor

J.M. Cohen, Inc.
155 Bovet Rd., Suite 300
San Mateo, CA 94402

cc: R. Hughes, Groundwater Technology, Inc.
W. Kaczmarek, The Martin Co.
P. Kelly, S.O.S. International
M. Papineau, Earth Metrics
G. Raymond, J.M. Cohen, Inc.
P. Sheehan, Aqua Terra Technologies
R. Wyatt, Brobeck, Pheleger & Harrison

J. M. COHEN, Inc.

ENVIRONMENTAL & OCCUPATIONAL HEALTH SERVICES

February 24, 1989

Mr. Lowell Miller
Alameda County Health Department
470 27th St., Room 322
Oakland, CA 94612

Re: Emeryville Marketplace site report for the week of February 20, 1989.

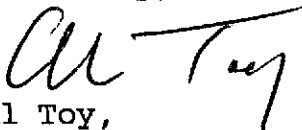
Dear Mr. Miller,

The following is a summary of activities at the Emeryville Marketplace site for the week of February 20, 1989.

Landscaping projects conducted this week did not encounter any soil contamination.

Please feel free to contact me at (415) 349-9737 if you have questions regarding this matter, or I may be of further assistance.

Sincerely,



Al Toy,
Project Environmental Monitor

J.M. Cohen, Inc.
155 Bovet Rd., Suite 300
San Mateo, CA 94402

cc: R. Hughes, Groundwater Technology, Inc.
W. Kaczmarek, The Martin Co.
P. Kelly, S.O.S. International
M. Papineau, Earth Metrics
G. Raymond, J.M. Cohen, Inc.
P. Sheehan, Aqua Terra Technologies
R. Wyatt, Brobeck, Pheleger & Harrison

J. M. COHEN, Inc.

ENVIRONMENTAL & OCCUPATIONAL HEALTH SERVICES

February 24, 1989

Mr. Lowell Miller
Alameda County Health Department
470 27th St., Room 322
Oakland, CA 94612

Re: Emeryville Marketplace site report for the week of November
14, 1988.

Dear Mr. Miller:

The following is a summary of activities at the Emeryville
Marketplace site for the week of November 14, 1988.

Landscaping projects conducted this week did not encounter any
soil contamination.

Please feel free to contact me at (415) 349-9737 if you have
questions regarding this matter, or I may be of further
assistance.

Sincerely,



Al Toy,
Project Environmental Monitor

J.M. Cohen, Inc.
155 Bovet Rd., Suite 300
San Mateo, CA 94402

cc: R. Hughes, Groundwater Technology, Inc.
W. Kaczmarek, The Martin Co.
P. Kelly, S.O.S. International
M. Papineau, Earth Metrics
G. Raymond, J.M. Cohen, Inc.
P. Sheehan, Aqua Terra Technologies
R. Wyatt, Brobeck, Pheleger & Harrison

J. M. COHEN, Inc.

ENVIRONMENTAL & OCCUPATIONAL HEALTH SERVICES

2/28/89
ALAMEDA COUNTY
DEPT. OF ENVIRONMENTAL HEALTH
HAZARDOUS MATERIALS

February 24, 1989

Mr. Lowell Miller
Alameda County Health Department
470 27th St., Room 322
Oakland, CA 94612

Re: Emeryville Marketplace site report for the week of November 7, 1988.

Dear Mr. Miller:

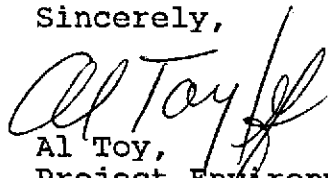
The following is a summary of activities at the Emeryville Marketplace site for the week of November 7, 1988.

Underground activities, consisting of trenching operations, were completed this week, with no contaminated soil being encountered.

Landscaping projects, scheduled to be completed by April, 1989, are ongoing, and are the only remaining activities requiring underground work. No contaminated soil was encountered during work conducted this week.

Please feel free to contact me at (415) 349-9737 if you have questions regarding this matter, or I may be of further assistance.

Sincerely,



Al Toy,
Project Environmental Monitor

J.M. Cohen, Inc.
155 Bovet Rd., Suite 300
San Mateo, CA 94402

cc: R. Hughes, Groundwater Technology, Inc.
W. Kaczmarek, The Martin Co.
P. Kelly, S.O.S. International
M. Papineau, Earth Metrics
G. Raymond, J.M. Cohen, Inc.
P. Sheehan, Aqua Terra Technologies
R. Wyatt, Brobeck, Pheleger & Harrison

J. M. COHEN, Inc.

ENVIRONMENTAL & OCCUPATIONAL HEALTH SERVICES

February 17, 1989

Mr. Lowell Miller
Alameda County Health Department
470 27th St., Room 322
Oakland, CA 94612

Re: Emeryville Marketplace site report for the week of February 13, 1989.

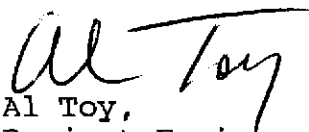
Dear Mr. Miller,

The following is a summary of activities at the Emeryville Marketplace site for the week of February 13, 1989.

Landscaping projects conducted this week did not encounter any soil contamination.

Please feel free to contact me at (415) 349-9737 if you have questions regarding this matter, or I may be of further assistance.

Sincerely,



Al Toy,
Project Environmental Monitor

J.M. Cohen, Inc.
155 Bovet Rd., Suite 300
San Mateo, CA 94402

cc: R. Hughes, Groundwater Technology, Inc.
W. Kaczmarek, The Martin Co.
P. Kelly, S.O.S. International
M. Papineau, Earth Metrics
G. Raymond, J.M. Cohen, Inc.
P. Sheehan, Aqua Terra Technologies
R. Wyatt, Brobeck, Pheleger & Harrison

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Director



Department of Environmental Health
Hazardous Materials Division
80 Swan Way, Room 200
Oakland, CA 94621

February 15, 1989

Telephone Number: (415) 271-4320

[
--Nielsen Site]
- 64TH & CHRISTIE
Emeryville, CA 94608 SiteID#-1763

[ATTN: President/Chief Exec. Off.]

The state of California has enacted legislation that requires each business or facility that handles more than a specified quantity of hazardous materials to develop and implement a business plan. The plan must contain essential information to emergency response personnel and appropriate public agencies in the event of a release of such materials. The Alameda County Board of Supervisors has designated the County Department of Environmental Health as the public agency which shall receive these plans. These business plans are required under California Health and Safety Code, Chapter 6.95 which also allows counties to collect fees for the administration of this law.

The intent and use of the business plan is to 1) provide critical information and assistance to emergency responders in case of an accident at your facility, 2) help you plan for emergencies, 3) assure emergency preparedness for employees handling hazardous materials, and 4) provide information on the hazardous materials handled at facilities to public agencies and the interested public.

Each business must complete a Hazardous Materials Business Plan if it handles a hazardous material or a mixture containing a hazardous material which has a quantity at any one time equal to or greater than (a) a total weight of 500 pounds, or (b) a total volume of 55 gallons, or (c) 200 cubic feet at standard temperature and pressure for compressed gas. Consumer products containing hazardous substances are exempt from reporting if they are prepacked for direct distribution to and use by the general public.

Our records indicate that you may handle more than the specified amount of hazardous materials. You are therefore required to submit the enclosed Hazardous Materials Business Plan - Part I to this office. You will subsequently receive Part 2 either by mail or when an inspector visits your facility. Your Hazardous Materials Business Plan - Part I must be submitted within 30 days of the receipt of this letter. Any business which violates Section 25503.5 by failing to file a business plan shall be subject to penalties specified in the law. If you believe you handle less than the specified quantities of hazardous materials, you must complete the HAZARDOUS MATERIALS NEGATIVE RESPONSE on Page 2. Thank you for your cooperation.

If you have any questions, please call this office at 415/271-4320.

Sincerely,

Gerald H. Winn, Director
Department of Environmental Health

Enclosure(s)

rev/man 12/88

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Director



Department of Environmental Health
Hazardous Materials Division
80 Swan Way, Room 200
Oakland, CA 94621

February 15, 1989

Telephone Number: (415) 271-4320

[--Marketplace Site]
[- 64TH & CHRISTIE]
[Emeryville, CA 94608 SiteID#-1764]
[ATTN: President/Chief Exec. Off.]

RECEIVED

FEB 21 1989

THE MARTIN CO.

The state of California has enacted legislation that requires each business or facility that handles more than a specified quantity of hazardous materials to develop and implement a business plan. The plan must contain essential information to emergency response personnel and appropriate public agencies in the event of a release of such materials. The Alameda County Board of Supervisors has designated the County Department of Environmental Health as the public agency which shall receive these plans. These business plans are required under California Health and Safety Code, Chapter 6.95 which also allows counties to collect fees for the administration of this law.

The intent and use of the business plan is to 1) provide critical information and assistance to emergency responders in case of an accident at your facility, 2) help you plan for emergencies, 3) assure emergency preparedness for employees handling hazardous materials, and 4) provide information on the hazardous materials handled at facilities to public agencies and the interested public.

Each business must complete a Hazardous Materials Business Plan if it handles a hazardous material or a mixture containing a hazardous material which has a quantity at any one time equal to or greater than (a) a total weight of 500 pounds, or (b) a total volume of 55 gallons, or (c) 200 cubic feet at standard temperature and pressure for compressed gas. Consumer products containing hazardous substances are exempt from reporting if they are prepacked for direct distribution to and use by the general public.

Our records indicate that you may handle more than the specified amount of hazardous materials. You are therefore required to submit the enclosed Hazardous Materials Business Plan - Part I to this office. You will subsequently receive Part 2 either by mail or when an inspector visits your facility. Your Hazardous Materials Business Plan - Part I must be submitted within 30 days of the receipt of this letter. Any business which violates Section 25503.5 by failing to file a business plan shall be subject to penalties specified in the law. If you believe you handle less than the specified quantities of hazardous materials, you must complete the HAZARDOUS MATERIALS NEGATIVE RESPONSE on Page 2. Thank you for your cooperation.

If you have any questions, please call this office at 415/271-4320.

Sincerely,


Gerald H. Winn, Director
Department of Environmental Health

Enclosure(s)

rev/mam 12/88

J. M. COHEN, Inc.

ENVIRONMENTAL & OCCUPATIONAL HEALTH SERVICES

November 4, 1988

Alameda County Health Department
470 27th St., Room 322
Oakland, CA 94612

Attn: Lowell Miller

Re: Emeryville Marketplace site report for the week of 10-31-88

Dear Mr. Miller:

The following is a summary of activities and findings at the Emeryville Marketplace site for the week of 10-31-88.

Various types of petroleum based materials continue to be encountered during subsurface activities at this site. However, underground activities are diminishing and, except for landscaping, underground work is scheduled to be concluded during the week of November 14.

Please feel free to contact me at (415) 349-9737 if you have questions regarding this matter, or I may be of further assistance.

Sincerely,


Al Toy,
Project Environmental Monitor

J.M. Cohen, Inc.
155 Bovet Road, Suite 300
San Mateo, CA 94402

cc: R. Hughes, Groundwater Technology, Inc.
W. Kaczmarek, The Martin Co.
P. Kelly, S.O.S. International
M. Papineau, Earth Metrics
G. Raymond, J.M. Cohen, Inc.
P. Sheehan, Aqua Terra Technologies
R. Wyatt, Brobeck, Pheleger & Harrison

RECEIVED
DEC 1 - 1988

HAZARDOUS MATERIALS/
WASTE PROGRAM

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Director



Department of Environmental Health
Hazardous Materials Division
80 Swan Way, Room 200
Oakland, CA 94621

File

Telephone Number: (415) 271-4320

01

LHM

November 2, 1988

Validation Number: 10000

(NOV 8 9 1988)

Mr. Jim McCammon
Toxics Substances Control Division
CA Department of Health Services
5850 Shellmound, Suite 390
Emeryville, CA 94608

QUALITY CONTROL PHASE

6/4th & Sacosta PLACE

SUBJECT: SUMMARY OF ACTIVITIES AT THE EMERYVILLE MARKETPLACE SITE,
EMERYVILLE, CA 94608

Dear Mr. McCammon:

In response to your request for a summary of the above mentioned site, we are providing the following information:

The history of the site predates 1982 when a preliminary study was submitted to your department for review for potential development of the site. The site was formerly operated by Pabco, a tarring and asphalt manufacturer. Preliminary findings from earlier studies and results during the consequent excavation processes revealed deposits of asphaltic materials close to the surface, a kerosene like material in areas of the subsurface near the groundwater, and some asbestos impregnated tarpaper like material in the underlying debris. In addition, there were several underground tanks on portions of the property. These have since been removed and had shown some hydrocarbon contamination originating from leaks.

The Alameda County Department of Health has received several site assessment plans, construction plans, and a site safety plan in connection with this project. In addition, we have required that the developer provide an on-site industrial hygienist to monitor construction activities to ensure proper worker safety if hazardous materials are exposed. These activities are being reported to this office during the construction phase. All hazardous materials that are to be removed from the site are being manifested and otherwise managed according to CA hazardous waste laws. A portion of the site is also being used for aeration of hydrocarbon contaminated

Mr. Jim McCammon
Toxics Substances Control Division
November 2, 1988
Page 2 of 2

soils resulting from previous tank leaks. In addition, certain dewatering processes are being undertaken in conjunction with SFRWQCB requirements and are being monitored by that office.

Besides the periodic sampling conducted by the consultant and the industrial hygienist, we are also sampling various areas when we do periodic site inspections. The reddish material that you mentioned in our recent phone conversation has been analyzed for all Title 22 metals and found not to contain any metals above the STLC. It is most likely crushed brick.

If you would like more detailed information concerning the site, you are welcome to visit our office and examine our files on the site. Should you have any further questions on this matter, please contact Lowell Miller, Sr. Hazardous Materials Specialist at 415/271-4320.

Sincerely,

Rafat A. Shahid

Rafat A. Shahid, Chief
Hazardous Materials Division

RAS:LM:mam

cc: Lisa McCann, RWQCB

J. M. COHEN, Inc.

ENVIRONMENTAL & OCCUPATIONAL HEALTH SERVICES

October 28, 1988

Alameda County Health Department
470 27th St., Room 322
Oakland, CA 94612

RECEIVED
NOV 2 1988

**HAZARDOUS MATERIALS
WASTE PROGRAM**

Attn: Lowell Miller

Re: Emeryville Marketplace site report for the week of 10-24-88

Dear Mr. Miller,

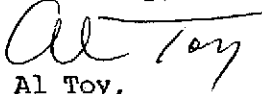
The following is a summary of activities and findings at the Emeryville Marketplace site for the week of 10-24-88.

Various types of petroleum based materials continue to be encountered during subsurface activities at this site.

Worker protection continues to consist of protective gear (gloves, boots and coveralls as necessary) designed to prevent skin contact with hazardous materials.

Please feel free to contact me at (415) 349-9737 if you have questions regarding this matter, or I may be of further assistance.

Sincerely,



Al Toy,
Project Environmental Monitor

J.M. Cohen, Inc.
155 Bovet Rd., Suite 300
San Mateo, CA 94402

cc: R. Hughes, Groundwater Technology, Inc.
W. Kaczmarek, The Martin Co.
P. Kelly, S.O.S. International
M. Papineau, Earth Metrics
G. Raymond, J.M. Cohen, Inc.
P. Sheehan, Aqua Terra Technologies
R. Wyatt, Brobeck, Pheleger & Harrison

J. M. COHEN, Inc.

ENVIRONMENTAL & OCCUPATIONAL HEALTH SERVICES

October 21, 1988

Alameda County Health Department
470 27th St., Room 322
Oakland, CA 94612

Attn: Lowell Miller

Re: Emeryville Marketplace site report for the week of 10-17-88

Dear Mr. Miller,

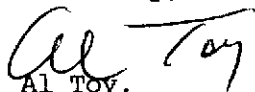
The following is a summary of activities and findings at the Emeryville Marketplace site for the week of 10-17-88.

Various types of petroleum based materials continue to be encountered during subsurface activities at this site.

Worker protection continues to consist of protective gear (gloves, boots and coveralls as necessary) designed to prevent skin contact with hazardous materials.

Please feel free to contact me at (415) 349-9737 if you have questions regarding this matter, or I may be of further assistance.

Sincerely,



Al Toy,
Project Environmental Monitor

J.M. Cohen, Inc.
155 Bovet Rd., Suite 300
San Mateo, CA 94402

cc: R. Hughes, Groundwater Technology, Inc.
W. Kaczmarek, The Martin Co.
P. Kelly, S.O.S. International
M. Papineau, Earth Metrics
G. Raymond, J.M. Cohen, Inc.
P. Sheehan, Aqua Terra Technologies
R. Wyatt, Brobeck, Pheleger & Harrison

J. M. COHEN, Inc.

ENVIRONMENTAL & OCCUPATIONAL HEALTH SERVICES

October 14, 1988

Alameda County Health Department
470 27th St., Room 322
Oakland, CA 94612

Attn: Lowell Miller

10/14/88
0072-1985

Re: Emeryville Marketplace site report for the week of 10-10-88

Dear Mr. Miller,

The following is a summary of activities and findings at the Emeryville Marketplace site for the week of 10-10-88.

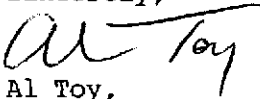
Various types of petroleum based materials continue to be encountered during subsurface activities at this site.

Some stockpiles of soil accumulated on this site have been relocated. Please consult Earth Metrics for details regarding the location, treatment and disposition of contaminated soil and hazardous materials generated from underground activities on this site.

Worker protection continues to consist of protective gear (gloves, boots and coveralls as necessary) designed to prevent skin contact with hazardous materials. Respiratory protection will be provided if necessary.

Please feel free to contact me at 349-9737 if you have questions regarding this matter, or I may be of further assistance.

Sincerely,



Al Toy,
Project Environmental Monitor

J.M. Cohen, Inc.
155 Bovet Rd., Suite 300
San Mateo, CA 94402

- cc: R. Hughes, Groundwater Technology, Inc
- W. Kaczmarek, The Martin Co.
- P. Kelly, S.O.S. International
- M. Papineau, Earth Metrics
- G. Raymond, J.M. Cohen, Inc.
- P. Sheehan, Aqua Terra Technologies
- R. Wyatt, Brobeck, Pheleger & Harrison

J. M. COHEN, Inc.

ENVIRONMENTAL & OCCUPATIONAL HEALTH SERVICES

October 7, 1988

Alameda County Health Department
470 27th St., Room 322
Oakland, CA 94612

Attn: Lowell Miller

Re: Emeryville Marketplace site report for the week of 10-3-88

Dear Mr. Miller,

The following is a summary of activities and findings at the Emeryville Marketplace site for the week of 10-3-88.

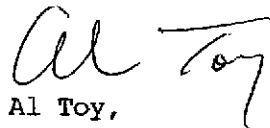
Various types of petroleum based materials continue to be encountered during subsurface activities at this site. As per the attachment, laboratory analysis of a soil sample collected on 9-21-88 indicates 130,000 mg/kg of fuel hydrocarbons. Please refer to the map included in my 9-19-88 report for sample location.

Please refer to the plan presented by Earth Metrics for details regarding the location, treatment and disposition of contaminated soil and hazardous materials generated from underground activities on this site.

Worker protection continues to consist of protective gear (gloves, boots and coveralls as necessary) designed to prevent skin contact with hazardous materials. Respiratory protection will be provided if necessary.

Please feel free to contact me at 349-9737 if you have questions regarding this matter, or I may be of further assistance.

Sincerely,



Al Toy,
Project Environmental Monitor

J.M. Cohen, Inc.
155 Bovet Rd., Suite 300
San Mateo, CA 94402

cc: R. Hughes, Groundwater Technology, Inc.
W. Kaczmarek, The Martin Co.
P. Kelly, S.O.S. International
M. Papineau, Earth Metrics
G. Raymond, J.M. Cohen, Inc.
P. Sheehan, Aqua Terra Technologies
R. Wyatt, Brobeck, Phleger & Harrison

J. M. COHEN, Inc.

ENVIRONMENTAL & OCCUPATIONAL HEALTH SERVICES

RECEIVED
OCT 05 1988

HAZARDOUS MATERIALS/
WASTE PROGRAM

September 30, 1988

Alameda County Health Department
470 27th St., Room 322
Oakland, Ca. 94612

Attn: Lowell Miller

Re: Emeryville Marketplace site report for the week of 9-26-88

Dear Mr. Miller,

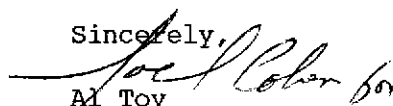
The following is a summary of activities and findings at the Emeryville Marketplace site for the week of 9-19-88.

Various types of asphaltic materials continue to be encountered during sub-surface activities at this site. Analytical reports for samples collected by J. M. Cohen, Inc. during the week of 9-19-88 are pending. Contact Marc Papineau of Earth Metrics for information on samples which he collected during the same period.

Worker protection continues to consist of protective gear (gloves, boots and coveralls as necessary) designed to prevent skin contact with hazardous materials.

Please feel free to contact me at (415) 349-9737 if you have questions regarding this matter, or I may be of further assistance.

Sincerely,


Al Toy

Project Environmental Monitor

J.M. Cohen, Inc.
155 Bovett Rd., Suite 300
San Mateo, Ca. 94402

cc: R. Hughes, Groundwater Technology, Inc.
W. Kaczmarek, The Martin Co.
P. Kelly, S.O.S. International
M. Papineau, Earth Metrics
G. Raymond, J.M. Cohen, Inc.
P. Sheehan, Aqua Terra Technologies
R. Wyatt, Brobeck, Pheleger & Harrison

TELEPHONE 832-0700
AREA CODE 415

BUSINESS OFFICES
OF

FRANK S. STERN

428 THIRTEENTH STREET, SUITE 810
OAKLAND, CALIFORNIA 94612

September 28, 1988

Alameda County Dept. of Environmental Health Services
Hazardous Materials Division
80 Swan Way, Room 200
Oakland, CA 94621

Dear Sir or Madam,

I am an adjacent property owner to several properties which have either recently completed construction or are presently under construction in the City of Emeryville. All of these properties are developed by the Martin Group or affiliates thereof. My purpose in writing to you is to enquire whether underground tanks were removed from these properties, and whether hazardous materials were found. If so what were the hazardous materials and what corrective action was required by the County? Can I obtain copies of the reports that were filed and is it possible to review the files?

The properties are shown on the attached assessors parcel maps. These properties are identified as follows:

(a) Assessors parcel #49 -1533 through 49-1538, "Bay Apartments" are located on the property bounded by Christie, 64th and Bay Streets, Emeryville.

(b) Assessors parcel #49 -1492, "The Market Place" is located on the property bounded by Shellmound Street, Southern Pacific railroad tracks, 64th and Christie Streets, Emeryville.

Please feel free to call me at 832-0700 should these be any questions with respect to this letter.

Sincerely yours,



Frank S. Stern

FSS/JN

enc.

File: FSS003

*10/11/88 3:09 M Stern authorized
2 hours if to speed call him*
EPA
OCT 17 1988
Bank, Block, Parcel
+ map

J. M. COHEN, Inc.

ENVIRONMENTAL & OCCUPATIONAL HEALTH SERVICES

September 23, 1988

Alameda County Health Department
470 27th St., Room 322
Oakland, Ca.94612

Attn: Lowell Miller

Re: Emeryville Marketplace site report for the week of 9-19-88

Dear Mr. Miller

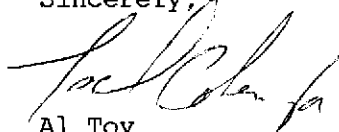
The following is a summary of activities and findings at the Emeryville Marketplace site for the week of 9-19-88.

Various types of asphaltic materials continue to be encountered during sub-surface activities at this site. Samples of material encountered on 9-21-88 (see attached map for location) have been submitted for laboratory analysis. Results are pending. Please refer to the plan presented by Earth Metrics for details regarding the location, treatment and disposition of contaminated soil and hazardous materials generated from underground activities on this site.

Worker protection continues to consist of protective gear (gloves, boots and coveralls as necessary) designed to prevent skin contact with hazardous materials. Respiratory protection will be provided if necessary.

Please feel free to contact me at 349-9737 if you have questions regarding this matter, or I may be of further assistance.

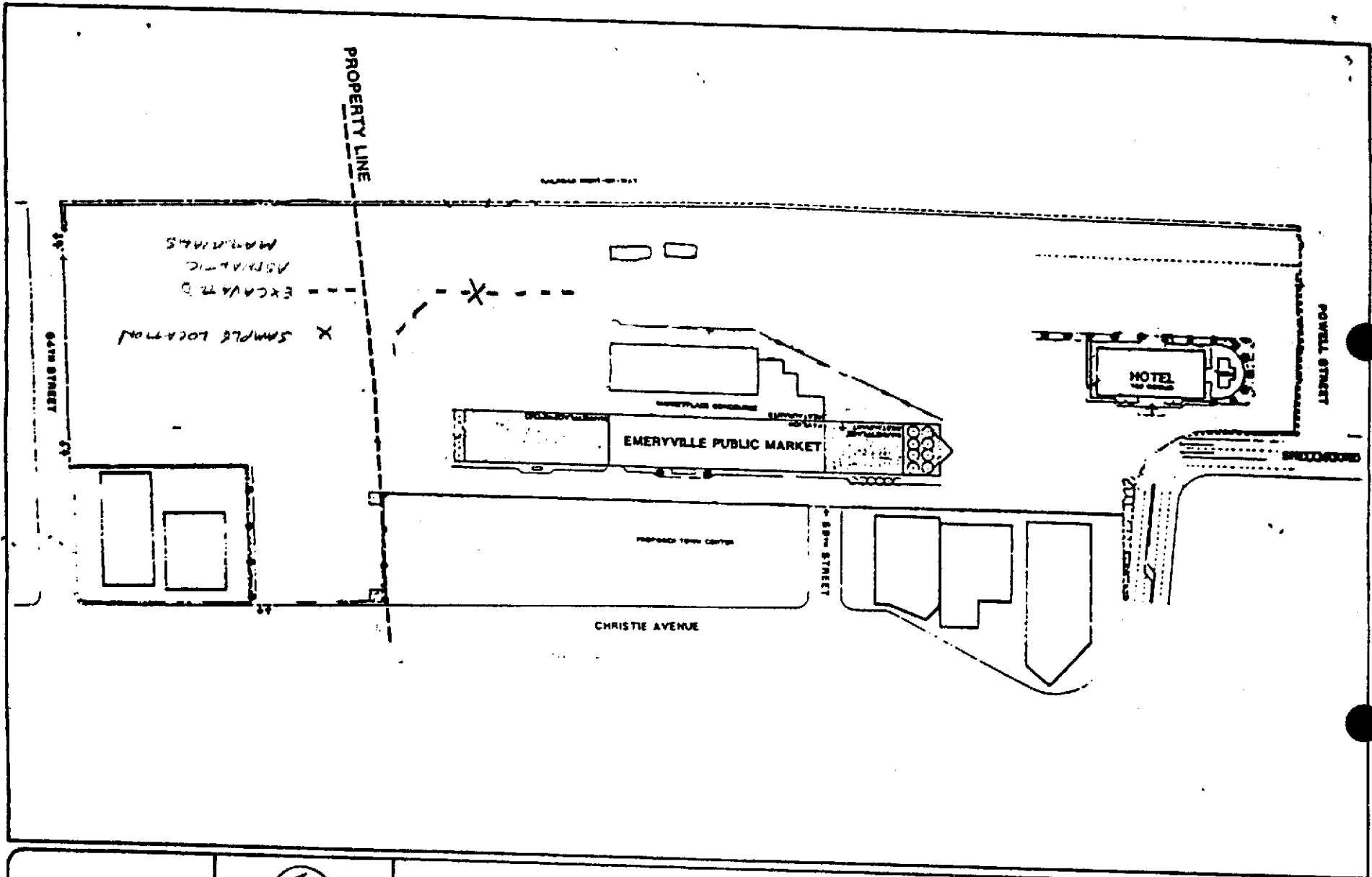
Sincerely,



Al Toy
Project Environmental Monitor

cc: R. Hughes, Groundwater Technology, Inc.
W. Kaczmarek, The Martin Co.
P. Kelly, S.O.S. International
M. Papineau, Earth Metrics
G. Raymond, J. M. Cohen, Inc.
P. Sheehan, Aqua Terra Technologies
R, Wyatt, Brobeck, Pheleger & Harrison

RECEIVED
OCT 05 1988
HAZARDOUS MATERIALS/
WASTE PROGRAM



SCALE
1" = 160'

J. M. COHEN, Inc.

ENVIRONMENTAL & OCCUPATIONAL HEALTH SERVICES

RECEIVED
OCT 05 1988

September 16, 1988

HAZARDOUS MATERIALS/
WASTE PROGRAM

Alameda County Health Department
470 27th St., Room 322
Oakland, Ca. 94612

Attn: Lowell Miller

Re: Emeryville Marketplace site report for the week of 9-12-88

Dear Mr. Miller,

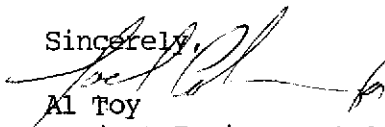
The following is a summary of activities and findings at the Emeryville Marketplace site for the week of 9-12-88.

Various types of asphaltic materials continue to be encountered during subsurface activities at this site. Tarpaper-like materials are gathered and bagged by S.O.S. Inc. as needed. Other materials are being treated and/or stockpiled per the plan presented by Earth Metrics.

Worker protection continues to consist of protective gear (gloves, boots and coveralls as necessary) designed to prevent skin contact with hazardous materials.

Please feel free to contact me at (415) 349-9737 if you have questions regarding this matter, or I may be of further assistance.

Sincerely,



Al Toy

Project Environmental Monitor

J.M. Cohen, Inc.
155 Bovet Rd., Suite 300
San Mateo, Ca. 94402

cc: R. Hughes, Groundwater Technology, Inc.
W. Kaczmarek, The Martin Co.
P. Kelly, S.O.S. International
M. Papineau, Earth Metrics
G. Raymond, J. M. Cohen, Inc
P. Sheehan, Aqua Terra Technologies
R. Wyatt, Brobeck, Pheleger & Harrison

ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY
 470-27th Street, Oakland, CA 94612
 (415) 874-6434

OCCUPATIONAL HEALTH SERVICES
 LABORATORY SERVICE REQUEST

Workshop

Plant or Place _____

Address 16000 Milliken, CA

Sample Submitted to D. Chew Date Submitted 9/16/88

Send Analytical Report to: Alameda County Health Care Services Agency/
 Occupational Health
 470-27th Street, Room 324, Oakland, CA 94612
 Attn: _____

Send Invoice To: _____

Item No.	Date Coll.	Type of Sample (Air, Material)	Volume/Weight	Field Observation	Analysis Requested
1	9/16/88	Solid		Microscopic 200x Hydroxyl Methylene Blue	(Air) metal TTL

Chain of Custody:

1.	<u>[Signature]</u>	<u>[Title]</u>	<u>[Date]</u>
	Signature	Title	Inclusive Dates
2.	<u>Barney Chew</u>	<u>Chemist IV</u>	<u>9/16/88</u>
	Signature	Title	Inclusive Dates
3.	_____ Signature	_____ Title	_____ Inclusive Dates

J. M. COHEN, Inc.

ENVIRONMENTAL & OCCUPATIONAL HEALTH SERVICES

September 12, 1988

Mr. Lowell Miller
Alameda County Health Department
470 27th Street, Room 322
Oakland, CA 94612

Re: Emeryville Marketplace site report for the week of September 5, 1988.

Dear Mr. Miller:

Excavation of potentially hazardous materials has decreased over the last two weeks and was minimal during the course of this week. All monitoring data developed to date indicates exposure levels are consistently well below relevant OSHA-PELs. This conclusion is corroborated by our professional opinion that no significant opportunity for exposure in excess of established limits is likely to occur under normal circumstances at this site.

Consequently, in the future our presence at the site will be limited to periods wherein there is appreciable potential for exposure, for instance, when contaminated soil is handled or when uncharacterized areas of the site are initially excavated.

Please feel free to contact me at 349-9737 if I may be of further assistance.

Sincerely,



Al Toy
Project Environmental Monitor

cc: R. Hughes, Groundwater Technology, Inc.
W. Kaczmarek, The Martin Co.
P. Kelly, SOS International
M. Papineau, Earth Metrics
G. Raymond, J.M. Cohen, Inc.
P. Sheehan, Aqua Terra Technologies
R. Wyatt, Brobeck, Phleger & Harrison

J. M. COHEN, Inc.

ENVIRONMENTAL & OCCUPATIONAL HEALTH SERVICES

September 12, 1988

Mr. Lowell Miller
Alameda County Health Department
470 - 27th St., Room 322
Oakland, CA 94612

Re: Emeryville Marketplace site report for the week of August 29, 1988

Dear Mr. Miller:

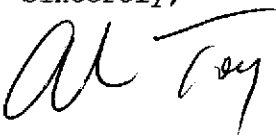
The following is a summary of activities at the Emeryville Marketplace site for the week of August 29, 1988.

Subsurface activities continue to reveal pockets of asphaltic materials. S.O.S. Inc. continues to gather and bag all visible tarpaper-like materials in the building pad and immediately adjacent areas. Please contact Earth Metrics, Inc. for information regarding the status and disposition of hazardous materials encountered on this site.

Worker protection continues to consist of protective gear (gloves, boots and coveralls, as necessary) designed to prevent skin contact with hazardous materials.

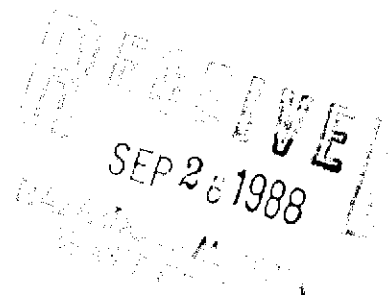
Please feel free to contact me at 349-9737 if I may be of further assistance.

Sincerely,



Al Toy
Project Environmental Monitor

cc: R. Hughes, Groundwater Technology, Inc.
W. Kaczmarek, The Martin Co.
P. Kelly, SOS International
M. Papineau, Earth Metrics
G. Raymond, J. M. Cohen, Inc.
P. Sheehan, Aqua Terra Technologies
R. Wyatt, Brobeck, Phleger & Harrison



J. M. COHEN, Inc.

ENVIRONMENTAL & OCCUPATIONAL HEALTH SERVICES

September 12, 1988

Mr. Lowell Miller
Alameda County Health Department
470 - 27th St., Room 322
Oakland, CA 94612

Re: Emeryville Marketplace site report for the week of August 22, 1988

Dear Mr. Miller:

The following is a summary of activities at the Emeryville Marketplace site for the week of August 22, 1988.

Subsurface activities continue to reveal pockets of asphaltic materials. S.O.S. Inc. continues to gather and bag all visible tarpaper-like materials in the building pad and immediately adjacent areas. Please contact Earth Metrics, Inc. for information regarding the status and disposition of hazardous materials encountered on this site.

Worker protection continues to consist of protective gear (gloves, boots and coveralls, as necessary) designed to prevent skin contact with hazardous materials.

Please feel free to contact me at 349-9737 if I may be of further assistance.

Sincerely,



Al Toy
Project Environmental Monitor

cc: R. Hughes, Groundwater Technology, Inc.
W. Kaczmarek, The Martin Co.
P. Kelly, SOS International
M. Papineau, Earth Metrics
G. Raymond, J. M. Cohen, Inc.
P. Sheehan, Aqua Terra Technologies
R. Wyatt, Brobeck, Phleger & Harrison

J. M. COHEN, Inc.

ENVIRONMENTAL & OCCUPATIONAL HEALTH SERVICES

September 12, 1988

Mr. Lowell Miller
Alameda County Health Department
470 27th Street, Room 322
Oakland, CA 94612

Re: Emeryville Marketplace site report for the week of August 15, 1988.

Dear Mr. Miller:

The following is a summary of activities at the Emeryville Marketplace site for the week of August 15, 1988.

On August 15 and August 16, 1988, all stockpiles of contaminated soil were relocated on this site. The relocation of these materials occurred in down wind portions of this site and posed no hazard to workers in the construction areas.

S.O.S., Inc. continued to gather and bag all visible tarpaper-like materials in the building pad area and areas immediately adjacent to it. Please contact Earth Metrics, Inc. for further information regarding the disposition of hazardous materials from this site.

Worker protection continues to consist of protective gear (gloves, boots and coveralls, as necessary) designed to prevent skin contact with hazardous materials.

Please feel free to contact me at 349-9737 if I may be of further assistance.

Sincerely,



Al Toy
Project Environmental Monitor

cc: R. Hughes, Groundwater Technology, Inc.
W. Kaczmarek, The Martin Co.
P. Kelly, SOS International
M. Papineau, Earth Metrics
G. Raymond, J.M. Cohen, Inc.
P. Sheehan, Aqua Terra Technologies
R. Wyatt, Brobeck, Phleger & Harrison

J. M. COHEN, Inc.

ENVIRONMENTAL & OCCUPATIONAL HEALTH SERVICES

September 12, 1988

Mr. Lowell Miller
Alameda County Health Department
470 27th Street, Room 322
Oakland, CA 94612

Re: Emeryville Marketplace site report for the week of August 8, 1988.

Dear Mr. Miller:

The following is a summary of activities at the Emeryville Marketplace site for the week of August 8, 1988.

Asphaltic materials continue to be encountered during subsurface activities on this site. S.O.S. Inc. continued to pick-up and bag all visible tarpaper-like materials in the building pad area and areas immediately adjacent to it. Please contact Earth Metrics, Inc. for information regarding disposition of these materials.

Worker protection continues to consist of protective gear (gloves, boots and coveralls, as necessary) designed to prevent skin contact with hazardous materials.

Please feel free to contact me at 349-9737 if I may be of further assistance.

Sincerely,

J.M. COHEN, INC.



Al Toy
Project Environmental Monitor

cc: R. Hughes, Groundwater Technology, Inc.
W. Kaczmarek, The Martin Co.
P. Kelly, SOS International
M. Papineau, Earth Metrics
G. Raymond, J.M. Cohen, Inc.
P. Sheehan, Aqua Terra Technologies
R. Wyatt, Brobeck, Phleger & Harrison

J. M. COHEN, Inc.

ENVIRONMENTAL & OCCUPATIONAL HEALTH SERVICES

September 12, 1988

RECEIVED
SEP 28 1988
MILLER, LOWELL
ALAMEDA COUNTY HEALTH DEPARTMENT

Mr. Lowell Miller
Alameda County Health Department
470 - 27th St., Room 322
Oakland, CA 94612

Re: Emeryville Marketplace site report for the week of August 1, 1988

Dear Mr. Miller:

The following is a summary of activities and findings at the Emeryville Marketplace site for the week of August 1, 1988. Please refer to the attached map for sample location information.

On August 4, 1988, a pocket of hydrocarbon-saturated soil was uncovered in the eight-story building pad (map location #1). A bulk sample of this material was obtained and analyzed for fuel hydrocarbons and BTEX. The analytical report showed the following:

Benzene - 14 mg/kg
Ethylbenzene - 100 mg/kg
Toluene - 19 mg/kg
Xylene - 350 mg/kg
Fuel Hydrocarbons - 40,000 ppm characterized as paint thinner/diesel fuel

In order to characterize airborne concentrations of these materials, personal air samples were obtained on August 5 and August 6, 1988. The back hoe operator moving the contaminated soil was fitted with a personal air sample pump with charcoal tubes employed as the sample matrix. The analytical results were reported as follows:

<u>SUBSTANCE</u>	<u>AUGUST 5, 1988</u>	<u>AUGUST 6, 1988</u>
Benzene	<0.15 ppm	<0.15 ppm
Toluene	<0.086 ppm	<0.086 ppm
Ethyl Benzene	<0.078 ppm	<0.078 ppm
Xylene	<0.16 ppm	<0.16 ppm
Total Hydrocarbons	<0.11 ppm	<0.11 ppm

Note: Air volumes collected for all samples were 10 litres.

Asphaltic materials continue to be encountered during subsurface activities on this site. S.O.S. Inc. continues to gather and bag all visible tarpaper like

Page Two - Alameda County Health Department

materials in the building pad area and areas immediately adjacent to it. Please contact Earth Metrics for details regarding the disposition of these, and other, materials collected on this site.

Worker protection continues to consist of protective gear (boots, gloves and coveralls, as necessary) designed to prevent contact with hazardous materials.

Please feel free to contact me at 349-9737 if I may be of further assistance.

Sincerely,

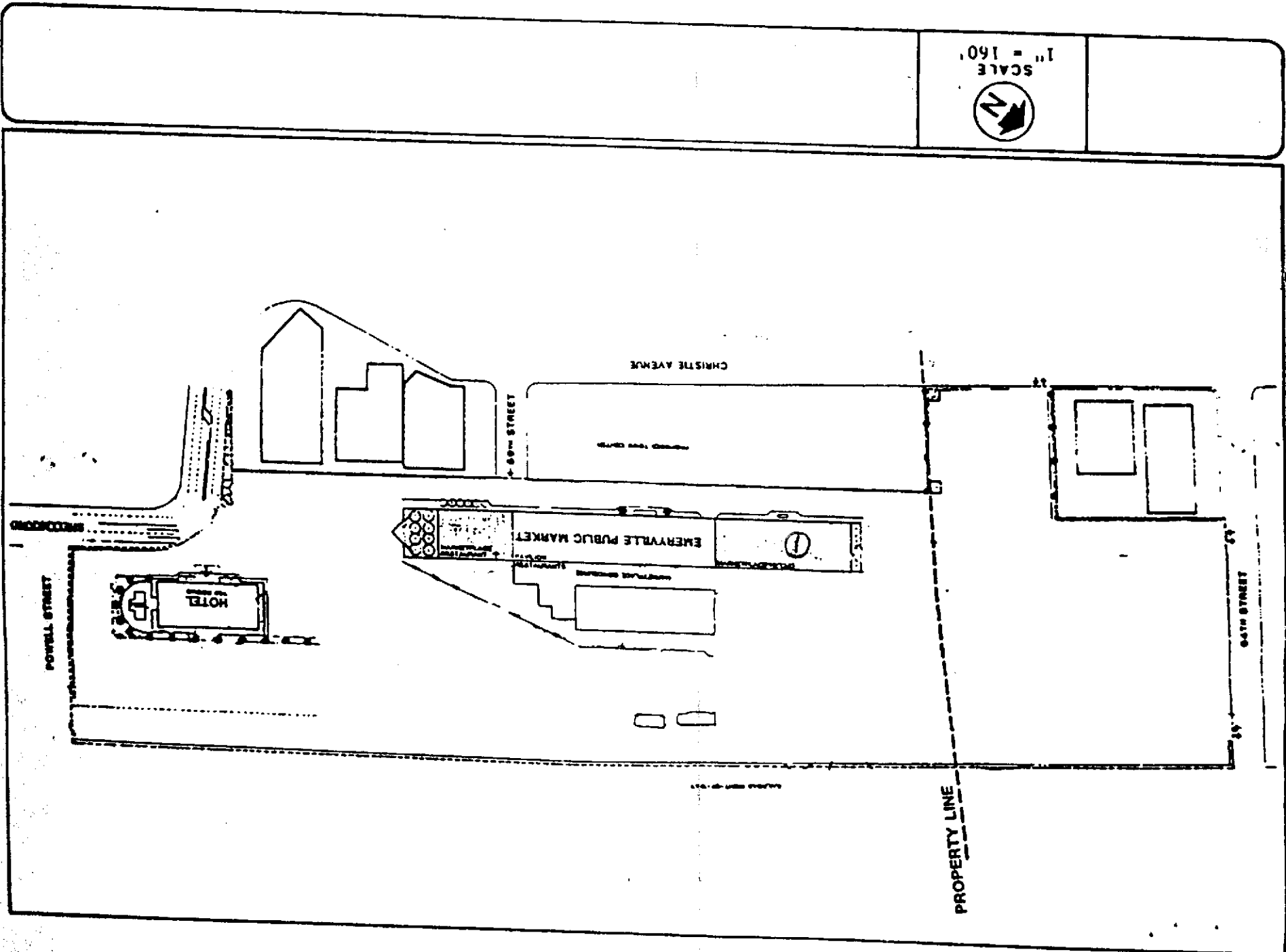
J.M. COHEN, INC.

A handwritten signature in dark ink, appearing to read "Al Toy". The signature is written in a cursive style with a horizontal line above the name.

Al Toy
Project Environmental Monitor

cc: R. Hughes, Groundwater Technology, Inc.
W. Kaczmarek, The Martin Co.
P. Kelly, SOS International
M. Papineau, Earth Metrics
G. Raymond, J.M. Cohen, Inc.
P. Sheehan, Aqua Terra Technologies
R. Wyatt, Brobeck, Phleger & Harrison

SCALE 1" = 160'

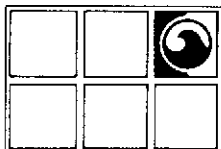


File

CALIFORNIA REGIONAL WATER

SEP 02 1988

QUALITY CONTROL BOARD



**GROUNDWATER
TECHNOLOGY, INC.**

4080-D Pike Lane, Concord, CA 94520

(415) 671-2387

August 26, 1988

Job No. 203 799 5080 01

01

Ms. Lisa McCann
California Regional Water Quality Control Board
1111 Jackson Street, Room 6040
Oakland, CA 94607

64th & Jackson

Dear Ms. McCann:

Please find enclosed an update report from Groundwater Technology, Inc. (GTI) on the temporary water treatment system located at the Emeryville Market Place Development, Emeryville, California.

I, Michael A. Covarrubias, a responsible official of Christie Avenue Partners, do hereby certify under penalty of perjury that the information in the enclosed update report is accurate to the best of my knowledge.

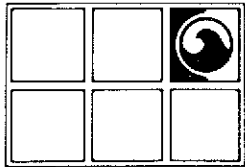
Sincerely,

Michael A. Covarrubias
Sr. Vice President
The Martin Company

Enclosures

L508001E.KK

JUL 25 1988



**GROUNDWATER
TECHNOLOGY, INC.**

QUALITY CONTROL

4080 Pike Lane, Suite D, Concord, CA 94520 (415) 671-2387

Fax: (415) 685-9148

July 21, 1988

Job No. 203 799 5080-01

Ms. Lisa McCann
California Regional Water Quality Control Board
1111 Jackson Street
Room 6040
Oakland, CA 94607

Dear Ms. McCann,

Please find enclosed an update report from Groundwater Technology, Inc. (GTI) on the temporary water treatment system located at the Emeryville Market Place Development, Emeryville, California.

I, Michael A. Covarrubias a responsible official of Christie Avenue Partners, do hereby certify under penalty of perjury that the information in the enclosed update report is accurate to the best of my knowledge.

Michael A. Covarrubias
The Martin Company
Sr. Vice President

Enclosure

L508001B.SF

8/11/88

This cover letter separated from report - file &
keep tabs on receipt of Report 2Am

JULY 2, 1988

ALAMEDA COUNTY HEALTH DEPARTMENT
470 27TH ST., RM 322
OAKLAND, CA 94612

ATTN: LOWELL MILLER

RE: EMERYVILLE MARKETPLACE SITE REPORT FOR THE WEEK OF 6-27-88

DEAR MR. MILLER,

THE FOLLOWING IS A SUMMARY OF ACTIVITIES AND FINDINGS AT THE EMERYVILLE MARKETPLACE SITE FOR THE WEEK OF 6-27-88.

ONGOING SUBSURFACE ACTIVITIES AT THIS SITE HAVE NOT REVEALED ANY APPARENT NEW TYPES OF CONTAMINATION. THE PREDOMINANT TYPE OF CONTAMINATION CONTINUES TO BE "ASPHALTIC" MATERIALS.

ANALYTICAL RESULTS ARE STILL PENDING FOR THE SAMPLES COLLECTED DURING THE WEEKS OF 6-13 AND 6-20-88.

WORKER PROTECTION WILL CONTINUE TO CONSIST OF PROTECTIVE GEAR DESIGNED TO PREVENT SKIN CONTACT WITH HAZARDOUS MATERIALS (I.E., GLOVES, BOOTS AND COVERALLS AS NECESSARY). RESPIRATORY PROTECTION WILL BE PROVIDED IF NECESSARY.

PLEASE FEEL FREE TO CONTACT ME @ 349-9737 IF YOU HAVE QUESTIONS OR I MAY BE OF ASSISTANCE.

SINCERELY,



AL TOY,
PROJECT ENVIRONMENTAL MONITOR

J.M. COHEN INC.
155 BOVET RD., SUITE 300
SAN MATEO, CA 94402

cc: G. RAYMOND
M. PAPINEAU

JUNE 27, 1988

ALAMEDA COUNTY HEALTH DEPARTMENT
470 27TH ST., RM 322
OAKLAND, CA 94612

ATTN: LOWELL MILLER

RE: EMERYVILLE MARKETPLACE SITE REPORT FOR THE WEEK OF 6-13-88

DEAR MR. MILLER,

THE FOLLOWING IS A SUMMARY OF ACTIVITIES AND FINDINGS AT THE EMERYVILLE MARKETPLACE SITE FOR THE WEEK OF 6-13-88.

ONGOING SUBSURFACE ACTIVITIES AT THIS SITE HAVE NOT REVEALED ANY APPARENT NEW TYPES OF CONTAMINATION. THE PREDOMINANT TYPE OF CONTAMINATION CONTINUES TO BE "ASPHALTIC" MATERIALS.

AIR SAMPLING FOR AIRBORNE CONCENTRATIONS OF "BTEX" VAPORS AND SELECTED METALS CONTINUED THIS WEEK; ANALYTICAL RESULTS ARE PENDING.

WORKER PROTECTION WILL CONTINUE TO CONSIST OF PROTECTIVE GEAR DESIGNED TO PREVENT SKIN CONTACT WITH HAZARDOUS MATERIALS (I.E., GLOVES, BOOTS AND COVERALLS AS NECESSARY). RESPIRATORY PROTECTION WILL BE PROVIDED IF NECESSARY.

PLEASE FEEL FREE TO CONTACT ME @ 349-9737 IF YOU HAVE QUESTIONS OR I MAY BE OF ASSISTANCE.

SINCERELY,



AL TOY,
PROJECT ENVIRONMENTAL MONITOR

J.M. COHEN INC.
155 BOVET RD., SUITE 300
SAN MATEO, CA 94402

cc: G. RAYMOND
M. PAPINEAU

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

SAN FRANCISCO BAY REGION

1111 JACKSON STREET, ROOM 6040

OAKLAND 94607

Phone: Area Code 415
464-1255June 20, 1988
File No. 1216.00(SAH)

Mr. Lynn E. Pera, P.E.
Groundwater Technology, Inc.
4080 Pike Lane, Suite D
Concord, CA 94520

Dear Mr. Pera:

This letter concerns an application by Christie Avenue Partners to discharge construction de-watering water from the Emeryville Market Place development, located near the intersection of Christie and 64th Streets in Emeryville, Alameda County. As explained below, I hereby waive the report of waste discharge (ROWD) for this temporary discharge. This waiver is subject to two conditions, also noted below.

Groundwater Technology, Inc. (GTI) was retained by the Christie Avenue Partners as environmental consultants to the Emeryville Market Place development in Emeryville, Alameda County. Development of the site requires excavation of trenches for installing underground utilities. The contractor needs to dewater these trenches during utility installation. The contractor estimates the dewatering rate at 17 gallons per minute, and a maximum of 525,000 gallons. GTI proposes to discharge this water to a nearby storm drain, which in turn discharges to San Francisco Bay on the Emeryville shoreline. Prior analysis of this groundwater revealed low concentrations of priority pollutants using EPA Method 625. All volatile organic compounds were below 1 ug/l concentration, except for acrolein (less than 10 ug/l). All heavy metals were significantly below 1 mg/l concentration. The source of this low-level contamination is not known. Oil and grease at 38 mg/l concentration was also detected.

GTI submitted an NPDES permit application for this discharge dated June 6. In this application, GTI proposed installing an activated-carbon filtration unit that would remove volatile organic compounds prior to discharge. GTI also indicated that an oil-water separator would be used if oil and grease concentrations interfere with the carbon unit's effectiveness. GTI noted that this would be a temporary discharge, necessary solely because of construction dewatering, and that delays in state approval would cost the developer up to \$50,000 per day in unspecified expenses. I understand that the developer has been storing water from dewatering activities in several 20,000 gallon tanks on site, as a temporary expedient.

Section 13269 of the California Water Code authorizes the Regional Board to issue waivers of reports of waste discharge (ROWD) unless the waiver is against the public interest. Board Resolution 83-3, adopted on April 20, 1983, delegates to the Executive Officer the authority to issue ROWD waivers for specific types of waste discharge. Your proposed discharge properly falls under category 16 of the resolution attachment: construction activities (e.g. dewatering). The resolution allows waivers for this type of discharge if we expect little or no impact on surface waters or groundwater and if Best Management Practices (BMPs) are used.

In this case, your discharge will be treated to remove volatile organic compounds. Heavy metals will not be removed, but are already at very low concentrations. The temporary discharge will not adversely affect any beneficial uses of surface waters or groundwaters. The discharge will not be against the public interest. Conversely, to prohibit this type of temporary discharge would impose a potentially large burden on new development projects, unrelated to the Board's ongoing program to clean-up contaminated groundwater.

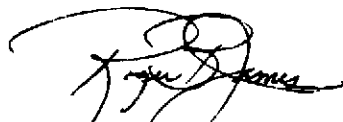
My ROWD waiver is subject to two conditions. First, the applicant (Christie Avenue Partners) or its agents must follow EMPs. Resolution 83-3 defines EMPs as those specific schedules of activities, prohibitions, maintenance procedures, and other management practices needed to prevent or reduce the pollution of waters of the State. In this case, Best Management Practices include (1) installing and operating the activated-carbon filtration unit and (2) installing and operating an oil-water separator, should oil and grease concentrations interfere with the effectiveness of the carbon unit. All water stored in tanks from prior dewatering must be treated prior to discharge, in addition to any further dewatering.

Second, the applicant (or its agents) must conduct a limited self-monitoring program. Grab samples of effluent from the treatment unit (as discharged to the storm drain) will be taken daily for the first five days and weekly thereafter until the discharge is discontinued. Samples will be analyzed using EPA Methods 624 and 625 (volatile organics and extractable organics, respectively). The applicant (or its agents) will submit results of the first five analyses to the Regional Board no more than 30 days after the discharge starts. The report will include necessary background information, such as the date and time of sampling and the discharge rate. The cover letter will be signed by a responsible official of Christie Avenue Partners and will certify under penalty of perjury that the information in the report is accurate to the best of the signator's knowledge. Subsequent results will be submitted on the 15th day of the month following sampling. Self-monitoring reports should be sent to the attention of Lisa McCann at the Regional Board.

ROWD waivers are conditional and may be revoked by the Executive Officer or the Regional Board at any time. A material change in the discharge or failure to comply with the conditions of the waiver would be possible reasons for revocation. We will deposit the \$500 filing fee that accompanied your application, pursuant to State Board regulation, even though you qualify for a ROWD waiver. Filing fees are intended to offset staff resources needed to review such applications, whenever more than a cursory review is needed.

Please contact Mr. Stephen Hill of my staff at (415) 464-4399 if you have any questions.

Sincerely,



ROGER B. JAMES
Executive Officer

cc: Thomas Gram, General Partner

TCW

REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION
INTERNAL MEMO

TO: PWJ
LPC Section Leader

FROM: GSZ
WRCE

DATE: 6/15/88

SIGNATURE: *Gregory S. Jent*

SUBJECT: Status of NPDES Applications in Emeryville

1) Bay Center Project

This project is bounded by 64th, Lacoste, and 65th streets, and the Southern Pacific Railroad tracks. The initial permit application is dated March, 1987. We have recently written the developer (the permit applicant) to inform him that the permit will not be processed until December, but that EBMUD had indicated a willingness to accept the discharge in the interim. We are not currently working on the permit. The check accompanying the permit was deposited in the appropriate account.

2) Emeryville Marketplace Plaza

This application has only recently been received; the check has not yet been processed. We are not currently working on this permit. *\$500 admin fee deposited (to PWJ on 6/20/88) - SAH*

A map showing the location of the two projects is attached. A map showing the exact location of the discharge, and the storm drain line, should be included in the application, if the application is complete. I assume the discharge is into the shallow waters of San Francisco Bay.

*Care #2 transferred to Municipal Division. Groundwater investigation to be maintained by LPC.
PWJ 6/15/88*

*Take
30
minutes
later*

JUNE 13, 1988

ALEMEDA COUNTY HEALTH DEPARTMENT
470 27TH ST., RM 322
OAKLAND, CA 94612

ATTN: LOWELL MILLER

RE: EMERYVILLE MARKETPLACE SITE REPORT FOR THE WEEK OF 6-6-88

DEAR MR. MILLER,

THE FOLLOWING IS A SUMMARY OF ACTIVITIES AND FINDINGS AT THE
EMERYVILLE MARKETPLACE SITE FOR THE WEEK OF 6-6-88.

ONGOING SUBSURFACE ACTIVITIES AT THIS SITE HAS NOT REVEALED ANY
APPARENT NEW TYPES OF CONTAMINATION. THE PREDOMINANT TYPE OF
CONTAMINATION STILL CONTINUES TO BE "ASPHALTIC" MATERIALS.

WORKER PROTECTION WILL CONTINUE TO CONSIST OF PROTECTIVE GEAR
DESIGNED TO PREVENT SKIN CONTACT WITH HAZARDOUS MATERIALS (I.E.,
GLOVES, BOOTS AND COVERALLS AS NECESSARY). RESPIRATORY
PROTECTION WILL BE PROVIDED IF NECESSARY.

PLEASE FEEL FREE TO CONTACT ME @ 349-9737 IF YOU HAVE QUESTIONS
OR I MAY BE OF ASSISTANCE.

SINCERELY,



AL TOY,
PROJECT ENVIRONMENTAL MONITOR

J.M. COHEN INC.
155 BOVET RD., SUITE 300
SAN MATEO, CA 94402

cc: G. RAYMOND
M. PAPINEAU

JUNE 13, 1988

ALEMEDA COUNTY HEALTH DEPARTMENT
470 27TH ST., RM 322
OAKLAND, CA 94612

ATTN: LOWELL MILLER

RE: EMERYVILLE MARKETPLACE SITE REPORT FOR THE WEEK OF 5-30-88

DEAR MR. MILLER,

THE FOLLOWING IS A SUMMARY OF ACTIVITIES AND FINDINGS AT THE EMERYVILLE MARKETPLACE SITE FOR THE WEEK OF 5-30-88.

CONTINUED SUBSURFACE ACTIVITY AT THIS SITE HAS NOT REVEALED ANY APPARENT NEW TYPES OF CONTAMINATION. THE PREDOMINANT TYPE OF CONTAMINATION STILL REMAINS "ASPHALTIC" MATERIALS AS SHOWN TO YOU DURING YOUR LAST VISIT.

PLEASE CONTACT MARK PAPINEAU, EARTH METRICS- 697-7103, FOR LAB RESULTS OF SAMPLES DESCRIBED IN MY PREVIOUS REPORT. EARTH METRICS COLLECTED AND REQUESTED ANALYSIS OF THESE SAMPLES AND CAN BEST ANSWER ANY QUESTIONS YOU MAY HAVE.

WORKER PROTECTION WILL CONTINUE TO CONSIST OF PROTECTIVE GEAR DESIGNED TO PREVENT SKIN CONTACT WITH HAZARDOUS MATERIALS (I.E., GLOVES, BOOTS AND COVERALLS AS NECESSARY). RESPIRATORY PROTECTION WILL BE PROVIDED IF NECESSARY.

PLEASE FEEL FREE TO CONTACT ME @ 349-9737 IF YOU HAVE QUESTIONS OR I MAY BE OF ASSISTANCE.

SINCERELY,



AL TOY,
PROJECT ENVIRONMENTAL MONITOR

J.M. COHEN INC.
155 BOVET RD., SUITE 300
SAN MATEO, CA 94402

cc: G. RAYMOND
M. PAPINEAU

THE MARTIN COMPANY

*42 who start
as of 2:15*

May 16, 1988

Mr. Lowell Miller
Hazardous Materials Unit
Alameda County Health Care
Services
80 Swan Way
Oakland, CA 94621

*need AMEND
subd brochure
apply BDUHS
by tomorrow*

Dear Mr. Miller:

The purpose of this letter is to bring you current with the environmental work being performed at The Marketplace Project and to seek your approval of the next steps.

At your request, we have provided you with the following items:

- ✓ 1. A complete set of construction plans;
- ✓ 2. A list of key persons together with their respective responsibilities in connection with the project;
- ✓ 3. Certain technical amendments to the site health and safety plan; and,
- ✓ 4. A well closure plan.

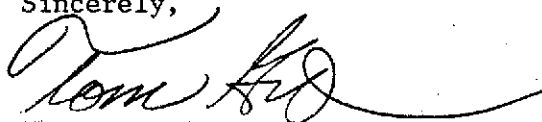
In addition, you have requested and we are providing by this letter commitments to undertake the following actions:

- ✓ 1. Provide that an independent industrial hygienist will be present as appropriate during subsurface construction activities;
- ✓ 2. Prepare appropriate waste characterization analyses for the so-called "tarry substances", in accordance with the requirements of Title 22 of the California Code of Regulations;
- 3. Depending on the results of the waste characterization, take appropriate mitigation and/or remedial actions; and,
- 4. Again, depending on the results of the waste characterization, comply with applicable, legal disclosure and notification requirements.

Based on these actions and commitments, it is our desire to proceed with site construction activities immediately. Given the enormous expense of construction delay, we would appreciate receiving approval to proceed at our meeting on May 17, 1988.

Thank you for your continuing cooperation on this matter.

Sincerely,


Thomas J. Gram

TJG/pla

REQUEST FOR HAZARDOUS WASTE FACILITY PERMIT VARIANCE

California Department of Health Services
Hazardous Waste Management Branch

I would like to request a variance from the Hazardous Waste Facility Permit requirements of the California State Department of Health Services.

I am requesting a variance for the following type of facility:

- Container storage
- Tank storage
 - located above ground
 - located below ground
- A totally enclosed treatment facility.
- An elementary neutralization unit.
- A facility that discharges directly to a POTW.
- Other (specify) Landfarming operations.

This facility is owned/operated by The Martin Company

and is located at ~~Christy Avenue~~ Christy Avenue and 64th Street
Emeryville, CA

I am basing my request for a variance on the following checked (X) sections of Title 22, California Administrative Code:

- 66310(a)(1) The hazardous waste at my facility is insignificant as a potential hazard to humans, domestic livestock or wildlife because of its:
 - small quantity;
 - low concentration; and/or
 - physical or chemical characteristics.
- 66310(a)(2) The hazardous waste at my facility is handled, processed or disposed of pursuant to regulations of another governmental agency:

MARTIN
JENNE WILL
WILL ADDRESS

My firm is regulated by the following agency: _____

A copy of the applicable permit is attached.

I am attaching information and drawings as outlined in Attachment A in support of this variance request. For any facilities involving underground tanks, I have attached information on a proposed groundwater monitoring program as outlined in Attachment B.

I understand that any variance from the Hazardous Waste Facility Permit requirements of the Department of Health Services, if granted, does not exempt my firm from any other applicable laws and regulations governing the management of hazardous wastes.

I certify that all information submitted with regards to this variance request is true, accurate and complete.

Peter D. Nance
(Applicant, Typed or Print)

Peter D. Nance
(Signature)

Geologist
(Title)

(415) 697-7103
(Telephone Number)

5/12/88
(Date)

859 Linden Road
(Mailing Address)

Burlingame, CA 94010

Interim Status Document No. :
If Applicable

May 12, 1988

Ms. Martita Jeung
Hazardous Waste Management Branch
Department of Health Services
5901 Christie Avenue, Room 501
Emeryville, CA 94608

Subject: Request for Variance from Facility Permit Requirements
(Earth Metrics file reference 9570.A1)

Dear Ms. Jeung:

Enclosed is the variance application and supporting documentation for your review.

Our intent is to treat diesel and gasoline contaminated soil (up to 920 ppm by weight) in the estimated amount of 1,300 cubic yards in an active bioreclamation landfarm. Earth Metrics (environmental consultant) and The Martin Company (developer) wish to expedite this variance request. Either Mr. Peter Nance (Earth Metrics) or Mr. Marc Papineau (Earth Metrics) will be available should you have any questions or need additional information.

Sincerely,

Peter Nance
Environmental Scientist

PN/hhs
Enclosures

SUPPORTING DOCUMENTATION FOR VARIENCE REQUEST

REMEDICATION PLAN

Our remedial action plan is on file with Alameda County Hazardous Materials Unit (Mrs. Lowell Miller, telephone number (415) 271-4320). Landfarming by bioreclamation of gasoline and diesel contaminated soil shall be performed by Groundwater Technology, Inc. Figure 1 shows the proposed 40 foot by 220 foot landfarm relative to the site property line and neighbors.

HISTORY

Historical underground fuel tanks fuel and associated manifolds used by Nielsen Freight Line were removed from the site in June of 1987. Residual gasoline and diesel concentrations in soil around the historic manifolds exceed 100 ppm and typically are less than 1,000 ppm.

BIORECLAMATION PROPOSAL

The landfarming operation will entail the ongoing treatment of approximately 1,300 cubic yards of gasoline and diesel contaminated soil. This treatment is expected to require no more than 90 days to reduce the gasoline and diesel concentration to less than 100 ppm. An impermeable plastic sheet will be placed between the soil that is being treated and the existing asphalt pavement.

FINAL TREATED SOIL DISPOSTION

Heavy equipment will excavate and transport the soil to the landfarming area and after treatment, the treated soil will be placed back in the ground or disposed off site in an appropriate landfill, in accordance with the remediation plan on file with the County.

SAFETY AND HYGIENE

Security measures will include the posting of signs and the continued use of existing fences. A Worker Safety and Hygiene Plan, prepared by J.M. Cohen, is enclosed. This Worker Safety and Hygiene Plan addresses the proposed remediation activities of Groundwater Technology Inc. and property line monitoring of benzene, toluene, ethylbenzene and xylene (BTEX). The Worker Safety and Hygiene Plan also is on file at the Alameda County Hazardous Materials Unit (Mr. Lowell Miller, telephone number (415) 271-4320).

THE MARTIN COMPANY

Letter to Mr. Lowell Miller
May 4, 1988
Page 2

inspect and monitor excavations and be available for other priority or emergency situations.

In addition to the above, a site plan showing the proposed buildings and the proposed underground activities during construction, along with an overlay showing the potential contaminant areas, will be given to you as soon as possible.

We will be forwarding a detailed construction schedule showing probable dates of underground construction activities.

Lowell, based on this, we are requesting the ability to perform the construction activities in the Earth Metrics letter included. We will not proceed further than those activities without your approval. By proposing this program we are mitigating the construction worker risk while also mitigating all other issues/risks other than the underground asphalt substance issue. As I indicated, we will diligently pursue resolution of that issue and in the meantime, will protect worker safety.

If you have any questions, please call me.

Sincerely,

CHRISTIE AVENUE PARTNERS



Walter T. Kaczmarek
General Partner

WIK/dc
enclosure

THE MARTIN COMPANY

May 4, 1988

Mr. Lowell Miller
County of Alameda Department of Health Services
470 27th Street
Room 322
Oakland, CA 94612

RE: Nielson and Marketplace Sites, Emeryville, CA

Dear Lowell,

In response to your requests at our meeting on May 2 regarding the subject sites, please be assured we will cooperate in every possible way to address and mitigate your concerns. Specifically, we will do the following:

1. Mitigate the potential hydrocarbon contamination at the manifold area and potential diesel pit contamination using either an aeration or biodegradation process. Our intent is to use Groundwater Technology as the contractor to perform such work. A copy of its proposed clean up plan is included.
2. Complete further research and/or testing on the "so-called" asphalt substance in the underground soil which is of concern to you. This is being done now. Upon completion of this, we will present to you the results, a risk analysis and mitigation plan for your approval.
3. Other than in the area of the asphalt substance of concern (in #2 above), the entire site will be covered by concrete, asphalt or 18" of clean soil (in landscaped areas) to eliminate the accessibility of individuals to any metal contaminated soil. Naturally, the action to be taken on the asphalt substance will be subject to the outcome in #2 above.
4. No contaminated soil will be removed from the site without your approval.
5. During construction we will have a Worker Safety Plan by an industrial hygienist in effect (a copy of such plan will be posted at the construction site for the construction workers to follow). Additionally, during deep excavations (building foundations/footings, storm sewers, sanitary sewers, etc.) an industrial hygienist will be available to

ENCAP.
←

THE MARTIN COMPANY

Letter to Mr. Lowell Miller
May 4, 1988
Page 2

inspect and monitor excavations and be available for other priority or emergency situations.

In addition to the above, a site plan showing the proposed buildings and the proposed underground activities during construction, along with an overlay showing the potential contaminant areas, will be given to you as soon as possible.

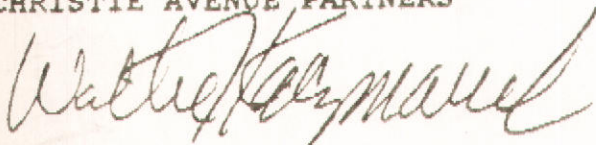
We will be forwarding a detailed construction schedule showing probable dates of underground construction activities.

Lowell, based on this, we are requesting the ability to perform the construction activities in the Earth Metrics letter included. We will not proceed further than those activities without your approval. By proposing this program we are mitigating the construction worker risk while also mitigating all other issues/risks other than the underground asphalt substance issue. As I indicated, we will diligently pursue resolution of that issue and in the meantime, will protect worker safety.

If you have any questions, please call me.

Sincerely,

CHRISTIE AVENUE PARTNERS



Walter T. Kaczmarek
General Partner

WTK/dc
enclosure

ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY
DEPARTMENT OF ENVIRONMENTAL HEALTH
HAZARDOUS MATERIALS DIVISION

470 - 27TH ST., RM. 322
OAKLAND, CA 94612
PHONE NO. 415/874-7237

ACCEPTED
DEPARTMENT OF ENVIRONMENTAL HEALTH
470 - 27TH STREET, ROOM 322
OAKLAND, CA 94612
Telephone: (415) 874-7237

These plans have been reviewed and found to be acceptable and essentially meet the requirements of state and local health laws. Changes to your plans indicated by this Department are to assure compliance with state and local laws. The project proposed herein is in compliance with all laws of any required but it is up to you for construction.

One copy of these plans of this project shall be made available to all contractors and construction workers for the removal.

Any change or alteration of a permit and installation must be submitted to the Department of Public Health Building Inspection Department for approval and local changes meet the requirements of state and local laws. Notify this Department at least 10 days prior to the following installation:

Department of Public Health and Planning
Building Inspection
Department of Public Health
Notify this Department at least 10 days prior to the following installation:

Issuance of a permit to operate is dependent on compliance with accepted plans and all applicable laws and regulations.

THERE IS A SIGNATURE REQUIRED BY THE DEPARTMENT OF ENVIRONMENTAL HEALTH OBTAINING THESE INSTRUCTIONS.

UNDERGROUND TANK CLOSURE/MODIFICATION PLANS

- Business Name The Martin Company
Business Owner Mr. Walter Kaczmarek
- Site Address Former Nielsen Truck located at 64th @ Christie Street
City Emeryville, CA Zip 94608 Phone None
- Mailing Address The Martin Company 6425 Christie St. Suite 406
City Emeryville, CA Zip 94608 Phone (415) 652 5852
- Land Owner The Martin Company *Christie Ave Partners*
c/o The Martin Company
Address Same as above City, State _____ Zip _____
- EPA I.D. No. _____
- Contractor DEVCON Construction
Address 555 Los Coches Street
City Milpitas, CA 95035 Phone (408) 942 8200
License Type General Contractor ID# 399163
- Other (Specify) Earth Metrics Incorporated
Address 859 Cowan Road
City Burlingame, CA 94010 Phone (415) 697 7103

8. Contact Person for Investigation

Name Mr. Marc Papineau Title Dept. Manager, Physical Sciences
Phone (415) 697 7103

9. Total No. of Tanks at facility None--they've been removed.

10. Have permit applications for all tanks been submitted to this office? Yes [] No [] Not Applicable (X)

11. State Registered Hazardous Waste Transporters/Facilities

a) Product/Waste Tranporter NOT APPLICABLE

Name _____ EPA I.D. No. _____
Address _____
City _____ State _____ Zip _____

b) Rinsate Transporter NOT APPLICABLE

Name _____ EPA I.D. No. _____
Address _____
City _____ State _____ Zip _____

c) Tank Transporter NOT APPLICABLE

Name _____ EPA I.D. No. _____
Address _____
City _____ State _____ Zip _____

d) Contaminated Soil ~~Transporter~~ Treatment

Name Groundwater Technology, Inc. EPA I.D. No. _____
Address 4080 Pike Lane
City Concord State CA Zip 94520
License Type C57 I.D. # 434343

12. Sample Collector

Name Mr. Peter Nance
Company Earth Metrics Incorporated
Address 859 Cowan Road
City Burlingame State CA Zip 94010 Phone (415) 697 7103

13. Sampling Information for each tank or area

Note All tanks have been removed.

Tank or Area		Material sampled	Location & Depth
Capacity	Historic Contents (past 5 years)		
Tank Pits (3)	Diesel(1), Gasoline(1), Oil(1)	Stockpiled Tank Overburden	Stockpiles
Tank Pits (same as above)		Soil in place	Maximum depth to eight (8) feet below existing grade
Manifold Trenches (2)		Stockpiled Soil & Soil in place	Maximum depth to three (3) feet below existing grade
Oil/Water Separator (1)		Soil in place	Maximum depth to three (3) feet below existing grade

14. Have tanks or pipes leaked in the past? Yes [X] No []

If yes, describe. Previous Woodward Clyde report indicates potential for historic leakage or overflow

15. NFPA methods used for rendering tank inert? Yes [] No [X]

If yes, describe. _____

16. Laboratories

Name Fireman's Fund Environmental Labs

Address 3700 Lakeville Highway

City Petaluma

State CA

Zip 94952

State Certification No. 109

GT Environmental Labs
4080 Pike Lane
Concord, CA 94520

State Certif. No. 194

17. Chemical Methods to be used for Analyzing Samples

Contaminant Sought	EPA, DHS, or Other Sample Preparation Method Number	EPA, DHS, or Other Analysis Number
Diesel Total Oil and Grease Gasoline		EPA 8015 Modified Diesel EPA 413.2 EPA 8015 Modified Gasoline

18. Site Safety Plan submitted? Yes No

19. Workman's Compensation: Yes No

Copy of Certificate enclosed? Yes No

Name of Insurer _____

20. Plot Plan submitted? Yes No

21. Deposit enclosed? Yes No Already provided

22. Please forward to this office the following information within 60 days after receipt of sample results.

- a) Chain of Custody Sheets
- b) Original Signed Laboratory Reports
- c) TSD to Generator copies of wastes shipped and received
- d) Attachment A summarizing laboratory results

I declare that to the best of my knowledge and belief the statements and information provided above are correct and true. I understand that information in addition to that provided above may be needed in order to obtain an approval from the Department of Environmental Health and that no work is to begin on this project until this plan is approved.

I understand that any changes in design, materials or equipment will void this plan if prior approval is not obtained.

I will notify the Department of Environmental Health at least two (2) working days (48 hours) in advance to schedule any required inspections. I understand that site and worker safety are solely the responsibility of the property owner or his agent and that this responsibility is not shared nor assumed by the County of Alameda.

Signature of Contractor

Name (please type) EARTH METRICS INCORPORATED
Marc Papineau

Signature *Marc Papineau*

Date 3/29/88

Signature of Site Owner or Operator

Name (please type) ~~THE MARTIN COMPANY~~ *Christie Ave. Partners*
Walter Kaczmarek

Signature *Walter Kaczmarek*

Date 3/29/88

NOTES:

1. Any changes in this document must be approved by this Department.
2. Any leaks discovered must be submitted to this office on an underground storage tank unauthorized leak/contamination site report form within 5 days of its discovery.
3. Three (3) copies of this plan must be submitted to this Department. One copy must be at the construction site at all times.
4. A copy of your approved plan must be sent to the landowner.

UNDERGROUND TANK CLOSURE/MODIFICATION PLANS

ATTACHMENT A
SAMPLING RESULTS

Tank or Area	Contaminant	Location & Depth	Results (specify units)

INSTRUCTIONS

2. SITE ADDRESS

Address at which closure or modification is taking place.

5. EPA I.D. NO.

This number may be obtained from the State Department of Health Services, 916/324-1781.

6. CONTRACTOR

Prime contractor for the project.

7. OTHER

List professional consultants here.

12. SAMPLE COLLECTOR

Persons who are collecting samples.

13. SAMPLING INFORMATION

Historic contents - the principal product(s) used in the last 5 years.

Material sampled - i.e., water, oil, sludge, soil, etc.

16. LABORATORIES

Laboratories used for chemical and geotechnical analyses.

17. CHEMICAL METHODS:

All sample collection methods and analyses should conform to EPA or DHS methods.

Contaminant - Specify the chemical to be analyzed.

Sample Preparation Method Number - The means used to prepare the sample prior to analyses - i.e., digestion techniques, solvent extraction, etc. Specify number of method and reference if not an EPA or DHS method.

Analysis Method Number - The means used to analyze the sample - i.e., GC, GC-MS, AA, etc. Specify number of method and reference if not a DHS or EPA method.

NOTE:

Method Numbers are available from certified laboratories.

18. SITE SAFETY PLAN

A plan outlining protective equipment and additional specialized personnel in the event that significant amount of hazardous materials are found. The plan should consider the availability of respirators, respirator cartridges, self-contained breathing apparatus (SCBA) and industrial hygienists.

19. ATTACH COPY OF WORKMAN'S COMPENSATION

20. PLOT PLAN (Attached)

The plan should consists of a scaled view of the facility at which the tank(s) are located and should include the following information:

- a) Scale
- b) North Arrow
- c) Property Line
- d) Location of all Structures
- e) Location of all relevant existing equipment including tanks and piping to be removed
- f) Streets
- g) Underground conduits, sewers, water lines, utilities
- h) Existing wells (drinking, monitoring, etc.)
- i) Depth to ground water (Approximately 6 to 7 feet)
- j) All existing tanks in addition to the ones being pulled (none)

1/88

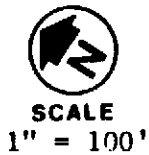
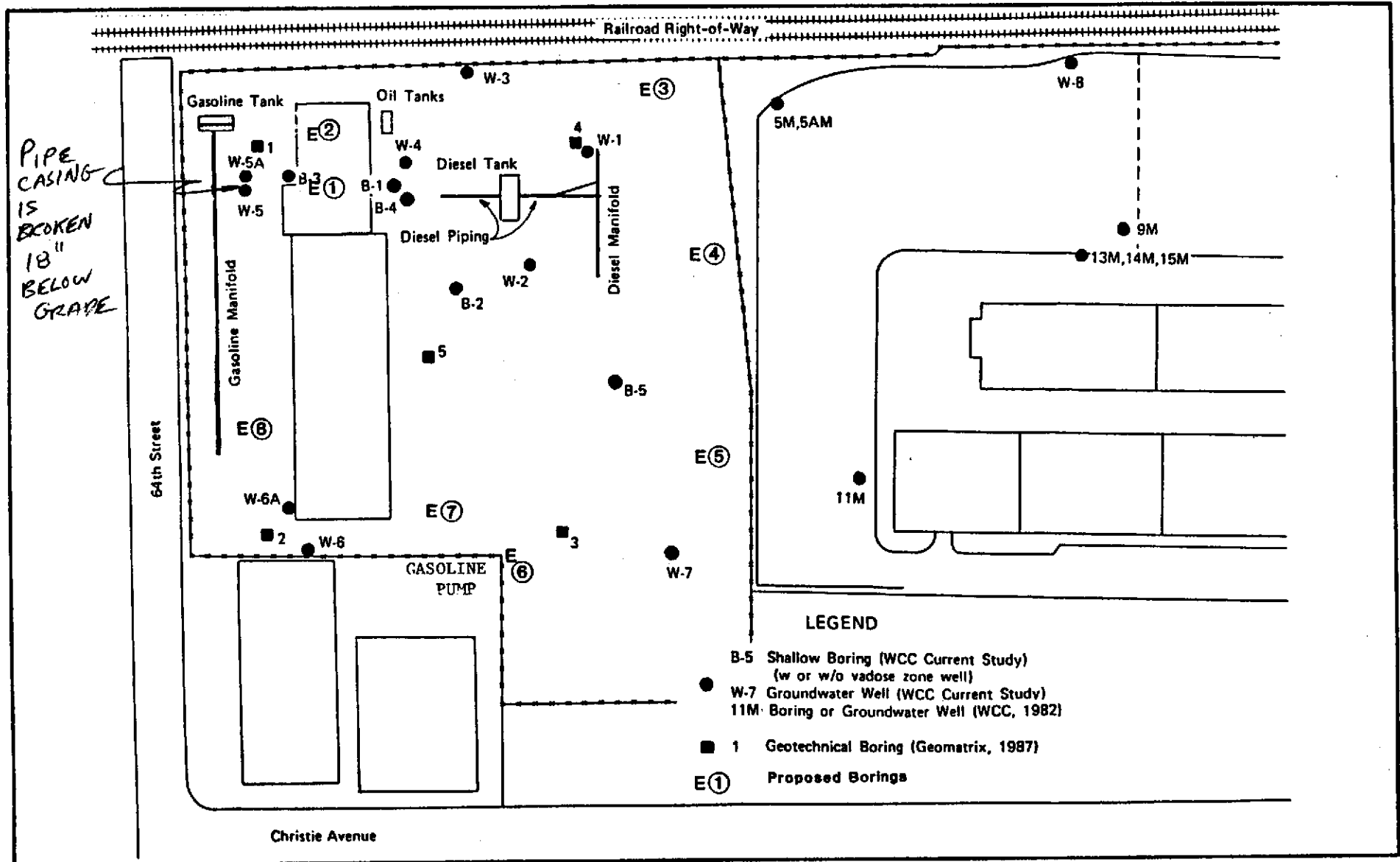
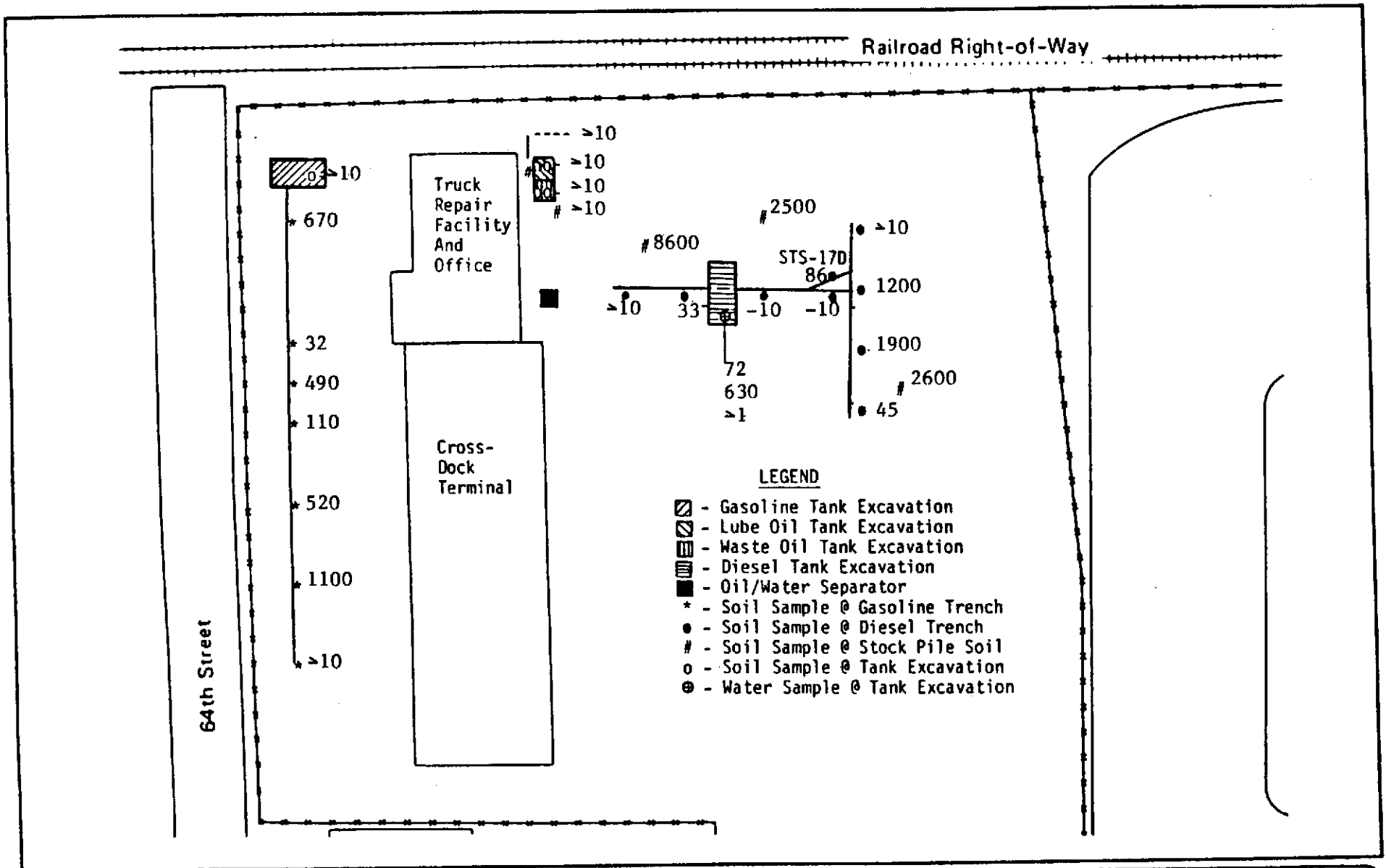


FIGURE 2. FORMER NIELSON TRUCK LINES SITE DETAILING BORING LOCATIONS AND FORMER UNDERGROUND TANK LOCATIONS



A-4



  **SCALE**
NO SCALE

FIGURE A-2. NIELSEN SITE SOIL AND GROUND WATER SAMPLING LOCATIONS DURING TANK REMOVAL APRIL 8, 1987. THIS SITE PLAN ALSO DEPICTS THE PPM OF TOTAL PETROLEUM HYDROCARBONS (GASOLINE & DIESEL)



earth metrics incorporated

DRAFT CLOSURE PLAN
FOR THE
FORMER NIELSEN FREIGHT LINES SITE

Prepared for:
The Martin Company

February 4, 1988

DRAFT CLOSURE PLAN

FOR THE FORMER NIELSEN FREIGHT LINES SITE

This plan addresses the final closure activities to be conducted at the former Nielsen Freight Lines site. This plan was prepared for the review and consideration of the Alameda County Hazardous Materials Unit.

OBJECTIVE OF CLOSURE

This current closure plan contains recommendations for further actions necessary for the final closure of the site as is. The objective of final closure is to comply with the closure requirements of the Regional Water Quality Control Board and Alameda County Division of Environmental Health. The closure plan is consistent with State of California applicable regulations and guidelines, including:

- "California Underground Storage Tank Regulations," California State Water Resources Control Board, August, 1987.
- "Guidelines for Addressing Fuel Leaks," California Regional Water Quality Control Board, San Francisco Bay Region, September, 1985 (latest revision).

REVIEW OF CLOSURE STATUS

Four underground storage tanks have been excavated and removed from the site. An underground storage tank closure report was prepared and filed by Woodward Clyde Consultants in 1987 for the former Nielsen Freight Lines site in Emeryville, California. The tank closure document was entitled: "Recommendations for Underground Storage Tank Closure, Former Nielsen Freight Lines Trucking Facility," Emeryville, California (August 26, 1987).

Four underground storage tanks (10,000 gallon gasoline tank, 10,000 gallon diesel tank, 500 gallon waste oil tank and 500 gallon motor oil tank) have been removed from the site. Remaining from the removal of the underground storage tanks are 1) associated product lines, 2) product manifolds, and 3) excavation spoils (consisting of native soil and sand). Excavation spoils are presently stored on site. Additionally, there is an oil/water separator on site that requires removal as part of the proposed closure.

Soils from the tank and manifold excavations remain stockpiled on site. Water is contained ⁱⁿ on the three excavated pits. The diesel pit possibly contains diesel constituents in the collected water and in the pit wall and bottom soils.

DRAFT SITE CLOSURE PLAN

A program of drilling and testing was performed by Earth Metrics Incorporated in the fall of 1987. Results were transmitted to the Alameda County Hazardous Material Unit in December 1987, in a report entitled: "Soils and Groundwater Contamination for the Former Nielsen Freight Lines Site in Emeryville, California."

This drilling and testing program identified tar or asphaltic material in the site soil. The asphaltic material is characterized as follows:

- a. Variable concentration and integration into the soil matrix.
- b. Variable viscosity, from stiff and hardened to viscous fluid (in well No. 5).
- c. Contains high boiling point hydrocarbons.
- d. Response to EPA Method 413.2 (Total Oil and Grease) 143 ppm to 7,022 ppm.
- e. Response to EPA Method 9020 (Organic Halogens in Liquid) 433 ppm (well No. 5; Marketplace site).
- f. Response to EPA Method 9022 (Organic Halogens in Soil) 0.13 ppm.
(Note: only iodine was detected in trace amounts in Boring No. EM1.)
- g. Contains polynuclear aromatics EPA Method 8310 (Anthrac^{ene}~~ene~~, Pyrene, Acenaphthene) in trace (ppb) amounts.
- h. There were no significant concentrations of metals detected in the asphaltic liquid.
- i. No detectable PCBs in liquid extracted from Well No. 5; Marketplace site.

Asphalt is a distillation product of crude petroleum. Diesel and gasoline fractions are essentially all vaporized, so these lighter end fractions are nearly all absent from asphalt. Asphalt is semi solid to solid. The terms tar and asphalt are used interchangeably.

HISTORICAL REFERENCE

The historic asphalt refinery at the former Paraffine Companies, Inc. is identified in a 1937 magazine article (California, "It Started from Black Paraffine," pp. 4 to 7 and 32 to 33, December, 1937) and in oblique aerial photographs dating back to 1928 (Oakland Outlook, "Gophers, Gold, and the March of Industry," January, 1928). Carbon disulfide was used to dissolve the stiff asphalt into a liquid form usable in asphaltic paints. According to the California magazine article (p. 5) both red and green asphaltic paints were manufactured by the Paraffine Companies. The asphalt refined on site was also used to manufacture asphalt-on-burlap type roofing material and felt-base floor covering (p. 6). The Paraffine Companies also manufactured bituminous and oil paints of "every description" (p. 32).

The following measures are recommended for performance of final site closure:

1. GASOLINE TANK EXCAVATION AND ASSOCIATED TRENCHES

It is recommended that stockpiled soil containing gasoline constituents be aerated to lower gasoline concentrations to a level acceptable to the Alameda County Hazardous Materials Unit. This level could be between 100 ppm and 1,000 ppm TPH. Regional Water Quality Control Board guidelines state the following:

"These [remedial] actions will include removal and/or repair of the tank or piping and excavation of contaminated soil as appropriate to prevent the soil contamination from being a continuing source of discharge. This will require excavation to less than 1,000 ppm total hydrocarbons in most instances."

"Soil removal should be sufficient to minimize continuing discharge to groundwater, and to prevent nuisance or health hazard from fumes in the soil. Excavation to less than 1,000 ppm total fuel hydrocarbons will almost always be necessary for that purpose. In some instances, excavation to much lower concentrations may be necessary to protect sensitive groundwater."

"In general, soil may be replaced in the on-site excavation if total hydrocarbon concentrations are below 100 mg/kg [ppm], based on an appropriate number of verification samples taken from the soil after aeration."

"Regional Board staff field experience, although supported by limited data, indicates that it should almost never be acceptable to leave concentrations higher than 1,000 ppm, and that concentrations less than 10 ppm do not generally constitute a threat to groundwater or cause a nuisance or hazard conditions."

"If concentrations higher than 100 ppm are detected in any of the soil samples, then a monitoring well...should be installed... and [an] investigation to document the source of contamination should be completed."

A program of testing for total petroleum hydrocarbons in the gasoline product line trenches would determine if any further amounts of soil require excavation. Any excavated soil from the trenches would be aerated to lower gasoline concentrations to a level acceptable to the Alameda County Hazardous Materials Unit.

2. DIESEL TANK EXCAVATION AND ASSOCIATED TRENCHES

It is recommended that stockpiled soil containing diesel constituents be biodegraded to lower diesel concentrations to a level acceptable to the Alameda County Hazardous Materials Unit. This level could be between 100 ppm and 1,000 ppm TPH.

A program of testing for total petroleum hydrocarbons in the diesel pit, both soil and water, and in the diesel product line trenches would determine if any further amounts of soil require excavation. Any excavated soil from the pit and trenches would be biodegraded to lower diesel concentrations to a level acceptable to the Alameda County Hazardous Materials Unit.

PROPOSED CLOSURE PLAN STEP LIST

- Obtain Alameda County approval
- Obtain a soil aeration permit from the Bay Area Air Quality Control Board if soil aeration operations are expected to exceed three months in duration. This stipulation also applies to surface biodegradation. These activities are not expected to exceed three months in duration.
- Test stockpiled soil and representative soil samples from trenches for total petroleum hydrocarbons. Aerate, biodegrade and further remove soil from trenches and diesel pit if necessary.
- Remove product lines, vent lines and electrical conduit. Drain and flush any residual liquid from product lines into appropriate containers. Cap and transport the product lines, vent lines and electrical conduit to a metal salvage yard.
- Consult a geotechnical engineer and The Martin Company for compaction requirements and foundation locations.
- Backfill all excavations with aerated/biodegraded soil that has TPH concentrations acceptable to the Alameda County Hazardous Materials Unit.
- Drain and flush o/w separator into appropriate container and dispose of separator by transport to a metal salvage yard.

THE MARTIN COMPANY

November 20, 1987

Mr. Llowell Miller
Alameda County
Hazardous Materials Unit
470 - 27th Street, 3rd Floor
Oakland, CA 94612

RE: Nielsen/Eastshore
Marketplace

Dear Llowell:

Please find attached two checks to be used for the following:

\$1,400.00	Nielsen/Eastshore Deposit/Fee for Environmental Review
\$1,200.00	Marketplace Deposit/Fee for Environmental Review

Please call if you have any questions.

Sincerely,

W. Kaczmarek

Walter T. Kaczmarek

WTK/ms
Enclosures

LM

SENDER: Complete items 1 and 2 when additional services are requested and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. Show to whom delivered, date, and addressee's address. (Extra charge) 2. Restricted Delivery (Extra charge)

<p>3. Article Addressed to:</p> <p>Mr. Walter Kaczmarek The Martin Co. 6475 Christie Ave. Emeryville, CA 94608</p>	<p>4. Article Number</p> <p>P 833 981 459</p> <p>Type of Service:</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise</p> <p>Always obtain signature of addressee or agent and DATE DELIVERED.</p>
<p>5. Signature - Address</p> <p>X</p>	<p>8. Addressee's Address (ONLY if requested and fee paid)</p> <p>CH</p>
<p>6. Signature - Agent</p> <p>X <i>[Signature]</i></p>	
<p>7. Date of Delivery</p> <p>6/23/89</p>	



earth metrics incorporated

859 COWAN ROAD, BURLINGAME, CALIFORNIA 94010

(415) 697-7103

TRANSMITTAL

TO: Mr. Lowell Miller
Alameda County Health Agency
470-27th Street, Room 322
Oakland, CA 94612

DATE: 11-10-87 EM FILE: 9569.A1
SUBJECT: Draft Work Plan for Soils
Contamination Characterization of Marketplace
Site in Emeryville, California

WE ARE SENDING:

- Enclosed
- Under separate cover

VIA:

- Regular Mail
- United Parcel
- Express Mail
- Courier

THE FOLLOWING ITEMS:

No. of Copies	Description
1	of the above mentioned

THESE ARE TRANSMITTED:

- In accordance with our agreement
- For your use/information
- For review and comment
- As requested
- For your signature
- For your approval
- Approved as submitted
- _____
- _____

REMARKS: _____

RETURN REQUIRED: None 1 fully executed copy Return of materials by _____

COPY TO Mr. Walter Kaczmarek FROM Peter Nance
The Martin Company Project Manager

IF ENCLOSURES ARE NOT AS NOTED, PLEASE NOTIFY US.

August 26, 1987

Alameda County Division of Environmental Health
420 - 27th Street
Emeryville, California 94612

Attention: Mr. Lowell Miller, Public Health Engineer

Gentlemen:

Subject: Recommendations for Underground Storage Tank Closure
Former Nielsen Freight Lines Trucking Facility
1605-64th Street
Emeryville, California 94612

Per The Martin Company's request, please find two copies of our report entitled "Recommendations for Underground Storage Tank Closure, Former Nielsen Freight Lines Trucking Facility, Emeryville, California." The enclosed report presents the results of our engineering field observations, laboratory studies, and resulting recommendations concerning closure of four underground fuel storage tanks, product lines, two product manifolds and an oil/water separator.

Your review of this document would be appreciated. We will contact you shortly to arrange a meeting to discuss the contents of the report and your comments.

Sincerely,

WOODWARD-CLYDE CONSULTANTS

John C. McMillan

John C. McMillan, P.E.
Project Engineer

Joel R. Kushins

Joel R. Kushins, P.E.
Project Engineer

Enclosure

cc: Mr. Walter Kaczmarek, The Martin Company
Mr. Tom Graham, East Bay Park Company
Mr. Alan McKay

RECEIVED
AUG 28 1987

HAZARDOUS MATERIALS/
WASTE PROGRAM

S957-L

Consulting Engineers, Geologists
and Environmental Scientists

Offices in Other Principal Cities

100 Pringle Avenue, Suite 300
Walnut Creek, CA 94596-3564
415-945-3000

Woodward-Clyde Consultants

August 12, 1987

Regional Water Quality Control Board
San Francisco Bay Region
1111 Jackson Street
Oakland, California 94607

WOODWARD-CLYDE CONSULTANTS

2861 81 01 [Signature]

Attention: Mr. Greg Zentner

WOODWARD-CLYDE CONSULTANTS

Gentlemen:

NIELSEN FREIGHT LINES

BAY CENTER

BAY CENTER II

Subject: Environmental Assessment
Former *NIELSEN FREIGHT LINES* Site and Adjacent Parcel
BAY CENTER
Emeryville, California

Enclosed please find two copies of our report entitled "Environmental Assessment, Former Nielsen Freight Lines Site and Adjacent Parcel, Emeryville, California." The report presents the results of a site history review and field and laboratory evaluations; outlines the geologic and hydrogeologic conditions of the site; and assesses the environmental conditions of the parcels. Recommendations are presented for corrective measures at the former Nielsen site to address several identified environmental conditions.

WCC was also retained by The Martin Company to observe the removal of underground fuel storage tanks and fueling manifolds at the Nielsen site and to prepare the required removal and closure documents. This tank closure work is being presented in a forthcoming, separate report.

Your review of this document would be appreciated. We will contact you shortly to arrange a meeting to discuss the contents of the report and your comments.

Sincerely,

WOODWARD-CLYDE CONSULTANTS

John McMillan, P.E.

John C. McMillan, P.E.
Project Engineer

COUNTY CONTACT:

HOWDEN MILLER

CSZ 5/29/87

Enclosure

S1043-L4

Consulting Engineers, Geologists
and Environmental Scientists

Offices in Other Principal Cities



