

DEPARTMENT OF TOXIC SUBSTANCES CONTROL

REGION 2
700 HEINZ AVE., SUITE 200
BERKELEY, CA 94710-2737



(510) 540-3724

November 8, 1995

Christie Avenue Partners-JS
5800 Shellmound Street
Emeryville, California 94608
Attn: Mr. Thomas J. Gram

Dear Mr. Gram:

EMERY BAY MARKET PLACE, SHELLMOUND STREET, EMERYVILLE, CALIFORNIA

The Department of Toxic Substances Control (DTSC) has completed review of the information submitted by Martin Group/Christie Avenue Partners to document the hazardous substance characterization and cleanup actions taken at the subject site. DTSC did not participate in the development of the workplans for these studies and did not provide field oversight of their implementation and any cleanup. The site cleanup was overseen by the Alameda County Environmental Health who recommended a deed restriction and referred it to DTSC.

According to the information provided, the site has been used for the manufacture, packaging and transportation of bituminous roofing products, oil based paints, and enamels. As a result of the site investigation, onsite hydrocarbon material, tar paper and contaminated soil were excavated, treated as appropriate and transported off-site for disposal. Any remaining materials have been capped by using either concrete, asphalt or 18" of landscaping materials. A deed restriction is in place as hazardous materials remain on site.

Based upon DTSC's evaluation of the information/reports submitted, the Site does not appear to pose a threat to human health or the environment under the current land use. Therefore, DTSC determines that No Further Action is necessary with respect to investigation and remediation of hazardous substances at the Site. As with any real property, if previously unidentified contamination is discovered at the site, additional assessment, investigation, and or cleanup may be required.



Mr. Thomas J. Gram
November 8, 1995
Page Two

If you have any questions regarding this determination,
please contact Denise Tsuji at (510) 540-3824.

Sincerely,

A handwritten signature in cursive script that reads "Barbara J. Cook".

Barbara J. Cook, P.E., Chief
Site Mitigation Branch

cc: Mr. Jun Makishima, Director
Alameda County Environmental Health
1131 Harbor Bay Parkway
Alameda, California 94502

LAW OFFICES
BEVERIDGE & DIAMOND
A PARTNERSHIP INCLUDING A PROFESSIONAL CORPORATION
SUITE 3400
ONE SANSOME STREET
SAN FRANCISCO, CA 94104-4438

(415) 397-0100

TELECOPIER (415) 397-4238

June 23, 1994

BEVERIDGE & DIAMOND, P.C.
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(212) 702-5400

BEVERIDGE & DIAMOND
ONE BRIDGE PLAZA
FORT LEE, N. J. 07024-7502
(201) 585-8162

ROBERT E. WYATT
RECEIVED
JUN 24 1994

DISTRICT ATTORNEY
ALAMEDA COUNTY
CEPD

Gilbert Jensen
Deputy District Attorney
Alameda County District Attorney's Office
7677 Oakport Street, Room 400
Oakland, California 94621

Re: The Martin Group

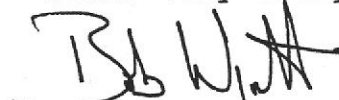
Dear Gil:

This letter is a follow-up to our telephone conversation this afternoon regarding The Martin Group and certain general concerns you expressed with respect to past remediation projects undertaken by the company in the City of Emeryville.

The Martin Group is justifiably proud of its role in transforming these former industrial properties into a model for commercial redevelopment. If your office or any other County agencies have concerns, company representatives would be pleased to meet to discuss any specifics. I am sure that you share my view that it would be unfair to allow the company's good reputation to be tarnished by mistaken perceptions or misunderstandings about work performed.

Please contact me at your convenience when you think it might be appropriate to discuss these issues.

Yours very truly,


Robert D. Wyatt

RDW:ha

cc: Thomas Gram, Esq., The Martin Group
1037.2417.26

ALCO
HAZMAT
94 JUN 31 AM 10:24



PES Environmental, Inc.
Engineering & Environmental Services

PES ENVIRONMENTAL, INC.

TEL: (415) 899-1600

FAX: (415) 899-1601

TO: Brian Oliva

COMPANY: Alameda County Env. Health Dept

FAX NO: (510) 569-4757

PHONE NO: _____

FROM: Mary Williams

JOB NO: _____

RE: _____

DATE: 9/14/93 TIME: 12:15 SENT BY: ma

NUMBER OF PAGES 1 HARD COPY TO FOLLOW: YES _____ NO

(INCLUDING COVER SHEET)

NOTES: Brian I'd like to review any file
information you have for the following site,
located adjacent to the Marketplace site
in Emeryville (94608):
*Another Tree Corporation, Shellmound Street, Emeryv
Thanks for your help! Mary Williams

IF THIS TRANSMITTAL HAS BEEN RECEIVED IN ERROR
PLEASE CONTACT
PES ENVIRONMENTAL AT YOUR EARLIEST CONVENIENCE (415) 899-1600

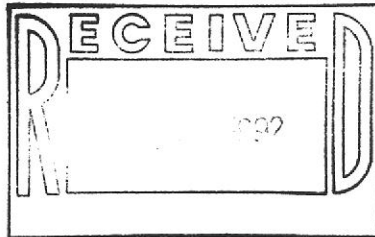
Baywood Center • 1682 Novato Boulevard • Suite 100 • Novato, California 94947

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, Assistant Agency Director



DEPARTMENT OF ENVIRONMENTAL HEALTH
Hazardous Materials Division
80 Swan Way, Rm. 200
Oakland, CA 94621
(510) 271-4320

Attn: Brian Oliva

August 3, 1992

Lynn Tolin
Christy Avenue Partners-JS
6475 Christie Avenue , Suite 500
Emeryville, CA 94608

Subject: Emery Bay Marketplace, Emeryville, CA 94608

Dear Ms. Tolin:

This office has received and reviewed the June 17, 1992 "Quarterly Groundwater Monitoring Report Second Quarter 1992", prepared by McLaren, Hart(MH), your consultants of record. Thank you for submitting the report in a timely manner.

Upon reviewing the information submitted, the following issues must be addressed prior to this office concurring with a request to reduce the monitoring episodes:

- 1) The Reporting limits for Total Petroleum Hydrocarbons as Diesel, are 0.05 parts per million (source: The Tri-Regional Guidelines, August, 1990). The McLaren/Hart report as submitted indicates the reporting limits as 0.5 parts per million. Please indicate the rationale as to why proper protocol was not utilized.
- 2) Monitoring well #5 has significant contamination, including free-product. The June 17, 1992 report(MH) indicates that the free-product removal has not been undertaken since June of 1991. Please submit a plan for interim remediation of the free-product still present at the site. This office is aware of the fact that previous efforts have been undertaken to remove the free-product, and that these efforts have yielded small amounts of hazardous materials. It is still the responsibility of the owner to implement a "Corrective Action" that will adequately address the problem. Please consult the California Health and Safety Code 25299.3, and 25299.7 or Title 23 from the California Code of Regulations concerning the necessary steps to be taken. Please submit the above plan within sixty(60) days to this office.

You are also requested to submit a deposit of \$750.00 made payable to the County of Alameda, for involvement in their oversight responsibilities for the mitigation of the above site. This deposit is authorized by Section 3-141.6 of the Ordinance Code of Alameda and is used to cover the expenses incurred by County personnel in their oversight duties. Records are maintained of the time County employees commit to a project and the deposit is charged at an hourly rate. Upon completion of the project, the balance will be returned to you.

Should you have any questions pertaining to any of the above requests, please contact this office at 271-4320.

Sincerely,

Brian P. Oliva

Brian P. Oliva, REHS
Hazardous Materials Specialist

cc: Julie Menack, McLaren/Hart
Rich Hiett, SFBRWQCB

RE



This is a facsimile from McLaren/Hart/ChemRisk, 1135 Atlantic Avenue, Alameda, CA 94501. Our dedicated FAX number is (510) 521-1547. Our telephone number is (510) 521-5200.

I am sending 19 page(s), including this cover sheet.

Date: 7/30/92 Time Out: _____

Job/Task number or Name: Marketplace

FAX number called: 510/569-4757

Attention: Brian Oliva

Sincerely,

McLAREN/HART/CHEMRISK

Julie Menack
Person Transmitting Copy

Brian: Please see discussions of free product recovery on pages 2, 6, & 7 as noted and data on Table 3. Please let me know if you don't have this report on file.
JSM.



June 20, 1990

Mr. Larry Seto
Alameda County Health Agency
Department of Environmental Health
80 Swan Way, Room 200
Oakland, CA 94621

Dear Mr. Seto:

GROUNDWATER CHARACTERIZATION, EMERY BAY MARKETPLACE

On the behalf of the Martin Group, this letter transmits the report entitled "Groundwater Characterization, Emery Bay Marketplace". The purpose of this investigation was to further characterize groundwater quality at the Emery Bay Marketplace property. The results indicate that:

- The extent of total petroleum hydrocarbons as diesel (TPH/D) appears to be confined to the north-central side of the property, and does not appear to have migrated off-site.
- The source of TPH/D, if upgradient, is near the Marketplace property.
- In this investigation, benzene, toluene, xylenes, and ethylbenzene (BTXE) and the metals arsenic, copper, lead, and zinc were not detected in groundwater at levels above drinking water standards.

Based on these results, the following recommendations are made:

- Sample groundwater from six downgradient wells (Wells W-7, W-13, W-14, W-19, W-20 and W-24) on a quarterly basis for TPH/D to verify that TPH/D is confined to the Marketplace property. Evaluate the results at the end of one year to determine whether continued monitoring is necessary.
- Bail free product from Well W-5, which is on City of Emeryville property, on a weekly basis. Until this issue is further resolved with the City of Emeryville, free product removal from Well W-5 will be performed as an accommodation to the City of Emeryville, and is not to be construed as an admission of present or future responsibility for the Christie Avenue Partners-JS.
- Abandon Well W-10 which cannot be used for monitoring purposes.

Mr. Larry Seto
June 20, 1990
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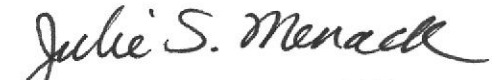
Evaluate the monitoring results at the end of one year to determine whether continued monitoring is necessary.

The investigations and the proposed recommended actions meet the objectives of groundwater characterization and remediation for the Emery Bay Marketplace site as described in our February 15, 1990 meeting. In order to facilitate the remedial process, the Martin Group will implement the proposed free product removal and groundwater monitoring program on July 9, 1990 unless you communicate specific objections prior to that date. If you have any questions, please do not hesitate to call.

Sincerely,



Patrick Sheehan, PhD.
Supervising Toxicologist



Julie S. Menack RG #4440
Senior Hydrogeologist

cc: Lester Feldman, California Regional Water Quality Control Board
Walter Kaczmarek, The Martin Group

0607rnl

