

July 8, 2004

001-09120-02-015

Mr. Cecilio Felix
Associate Engineering Geologist
Regional Water Quality Control Board
San Francisco Bay Region
1515 Clay Street, Suite 1400
Oakland, California 94612

Subject: Excavation of Arsenic-Affected Soil and Removal of an Underground Storage Tank in Lot 1, Subunit 1 of the Meade Street Operable Unit, Richmond, California

Dear Cecil:

LFR Levine-Fricke (LFR), on behalf of Cherokee Simeon Venture I, LLC (CSV), has completed this letter describing the excavation of arsenic-affected soil and removal of an underground storage tank from Lot 1 of Subunit 1, Meade Street Operable Unit (MSOU), formerly the Zeneca Inc. Richmond Facility. On November 16, 2001, the Regional Water Quality Control Board ("RWQCB") issued a No Further Action letter for Lot 1 to Zeneca and SIMEON Commercial Properties LLC. In that letter, the RWQCB conditionally approved Zeneca's request for a no further action determination as proposed in LFR's report entitled "Revised Soil and Groundwater Investigation Report, Lot 1; Zeneca Inc. Facility," dated October 25, 2001 ("Lot 1 Report").

One of the conditions set forth by the RWQCB in their November 16, 2001 letter is the removal of arsenic-affected soil near soil sampling location WRC-21 located in the western portion of Lot 1 (Figure 1). Affected soil in the immediate vicinity of location WRC-21 was excavated in August 2003 following building demolition in that area. Soil confirmation samples were collected from the excavation to verify that the arsenic concentrations in remaining soil were below the approved soil cleanup goal of 27 mg/kg, the modified Preliminary Remediation Goal (PRG) for commercial use.

This report also describes the removal of a previously closed underground storage tank. The tank was located south of B-96 on Lot 1, as shown on Figure 1. The tank had formerly been used to store diesel and was closed in place. Soil confirmation samples were collected from the tank excavation to confirm that affected soil had been removed.

Arsenic Affected Soil Excavation

Soil was excavated in August 2003, in the vicinity of previous sampling location WRC-21. Excavation was conducted in two phases based on confirmation sample results. As discussed in LFR's Lot 1 Report, an arsenic concentration of 290 milligrams per kilogram (mg/kg) was detected in the 1.5-foot deep soil sample collected from location WRC-21. A deeper sample at 3.5 feet contained 46 mg/kg arsenic. A sample at the nearby WRC-46 location at a depth of 3

feet contained 46 mg/kg arsenic. An LFR engineer marked the area for excavation and CSV contracted with Devcon, Inc. to excavate the soil. The proposed depth of the excavation was based on the analytical results for the soil samples collected from locations WRC-21 and WRC-46. The excavation extent was approximately 41 feet by 44 feet and 4 feet deep (Figure 2).

Approximately 267 cubic yards (cy) of soil was removed and transported to Lot 3 to be capped and managed in accordance with the soil management requirements set forth in the "Remedial Design Details," dated January 31, 2002, and the "Conceptual Remediation and Risk Management Plan," dated November 15, 2000, for the Upland Portion of Subunit 1. These plans have been reviewed and approved by the RWQCB. In accordance with those plans, neutralized cinders and soils containing elevated metals concentrations will be capped on Lot 3 beneath asphalt, concrete, building foundations, and/or contained planters.

Arsenic Affected Soil Sampling and Analyses

After removal of the excavated soils, LFR collected confirmation soil samples from the excavation for laboratory analyses of arsenic. Two soil confirmation samples were collected from the base of the excavation and one from each excavation sidewall. The confirmation soil samples were collected in clean brass tubes, sealed with Teflon sheets, capped, labeled, and placed in an ice-chilled cooler following strict chain-of-custody protocol. Samples were analyzed by Curtis and Tompkins, Ltd. of Berkeley, California.

Sample locations and results are shown on Figure 2. The following table shows the results of the samples.

Table 1: Arsenic Sampling Results for Lot 1

Sample Identification	Sampling Result	Units	Date Sampled
Soil Samples Removed from Lot 1			
WRC-21-1.5'	290	mg/kg	10/07/99
WRC21-3.5'	46	mg/kg	10/07/99
WRC-46-3'	46	mg/kg	05/24/01
Confirmation Soil Samples Collected from the Excavation			
AEN2	5.5	mg/kg	8/25/03
AEE	4.2	mg/kg	8/13/03
AES	6.1	mg/kg	8/13/03
AEW2	15	mg/kg	8/25/03
AEBE	2.7	mg/kg	8/13/03
AEBW	3.2	mg/kg	8/13/03
Modified Commercial PRG	27	mg/kg	

Based on the results, arsenic concentrations in soil near sampling locations WRC 21 and WRC-46 have been reduced to below approved soil cleanup goals for Subunit 1 and the 95% upper confidence limit of the mean for arsenic concentrations at Lot 1 has been reduced to 8.5 mg/kg. The 95% upper confidence limit was calculated in the same manner used in the Lot 1 Report, except the excavated samples were removed from the data set and the new confirmation samples were added to the data set. No further remediation is recommended.

Underground Storage Tank Removal

The 4,000 gallon underground storage tank had previously been closed in place by filling it with a slurry cement grout. The underground storage tank and grout were removed on August 14, 2003. Inspectors from the Richmond Fire Department and the Contra Costa County Health Services Department observed the removal. Two samples were taken at the bottom of the excavation and analyzed for TPH as diesel (TPHd), benzene, toluene, ethylbenzene and xylenes (BTEX), and methyltert butyl ether (MTBE). The only detection was 8.0 mg/kg of diesel in the soil sample collected from the northern sample.

The extent of the excavation was roughly 15 feet by 32 feet by 10 feet deep. The grout and surrounding soil, approximately 38 cy, which had a visible sheen and/or hydrocarbon odor, were disposed of at an approved Class II landfill (Keller Canyon in Pittsburg, California). The tank was disposed of as a non-hazardous waste at a metal recycling facility. No further remediation is recommended.

If you have questions or need any more information regarding the activities summarized in this report, please call William Carson at (510) 652-4500.

Sincerely,



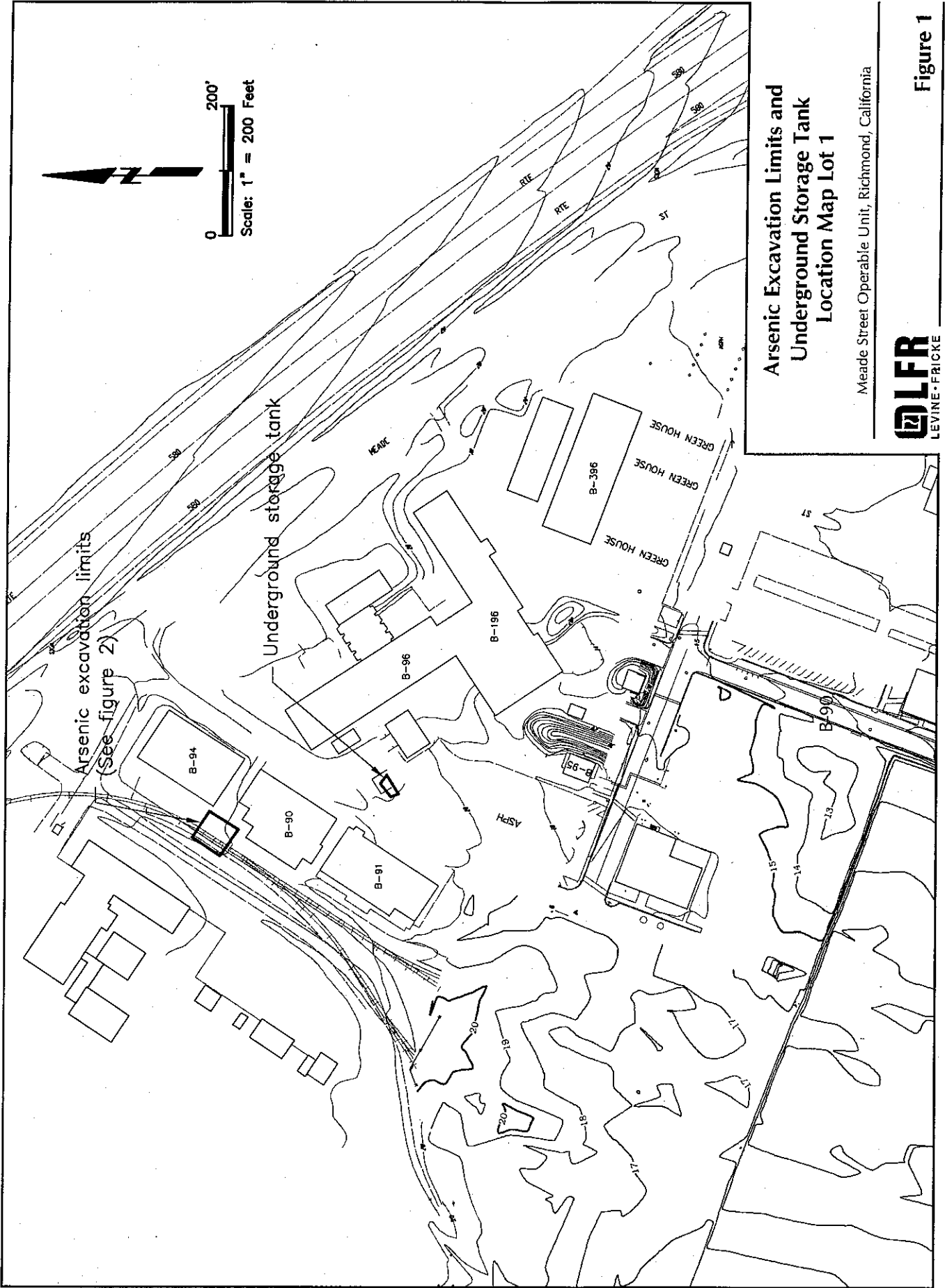
William Carson.
Senior Engineer

Attachments

Figure 1: Site Plan Showing Lot 1 and the Excavation Locations

Figure 2: Arsenic Analytical Results for Excavation Confirmation Soil Samples, Lot 1

cc: Jane Anderson, de maximis
Neil Ziemba, IRG LLC
Susan Cronk, SIMEON

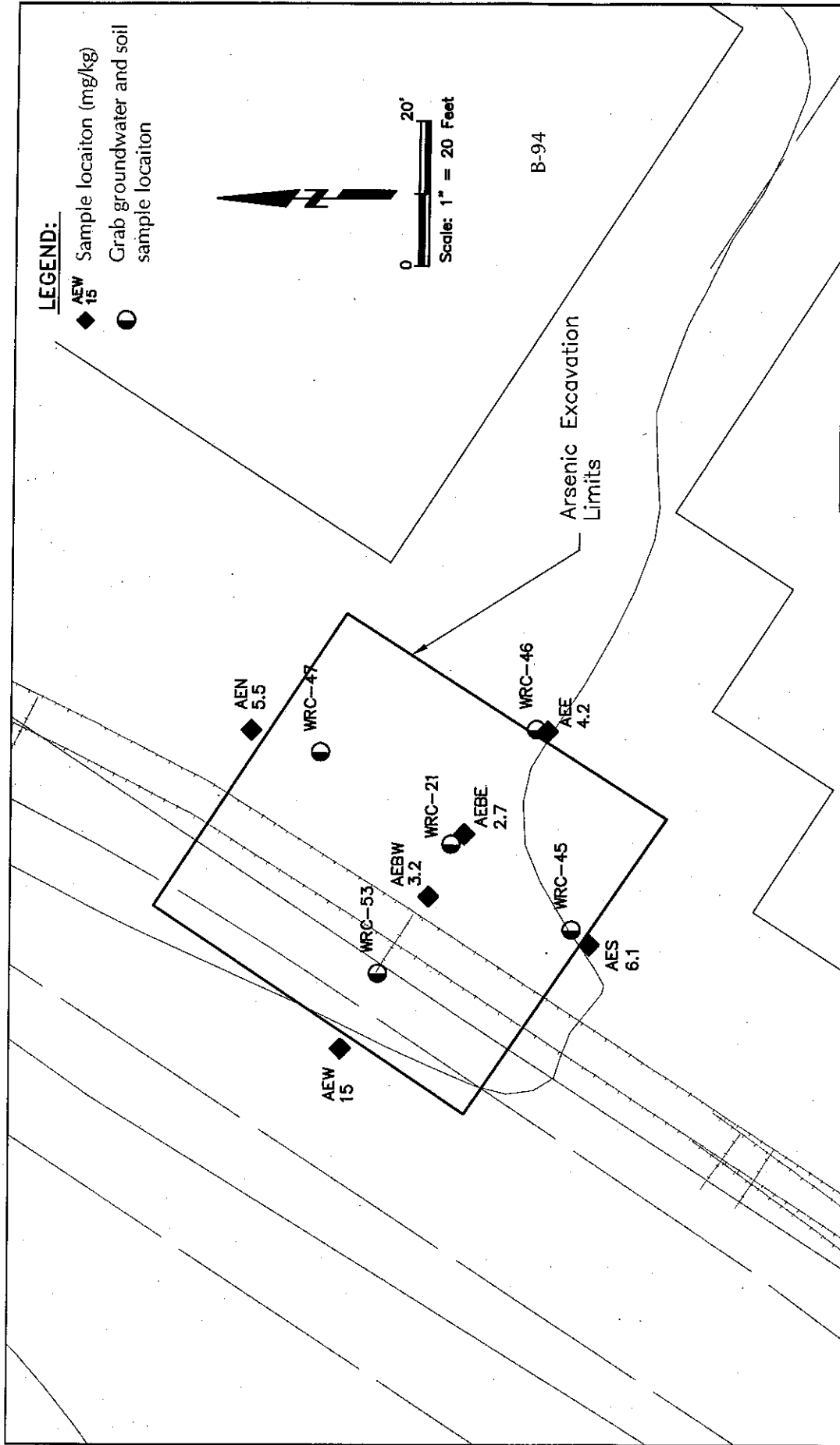


**Arsenic Excavation Limits and
Underground Storage Tank
Location Map Lot 1**

Meade Street Operable Unit, Richmond, California



Figure 1



**Arsenic Analytical Results for
Excavation Confirmation Sample
Lot 1**

Mead Street Operable Unit, Richmond, California



Figure 2