

**STATE OF CALIFORNIA
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
DEPARTMENT OF TOXIC SUBSTANCES CONTROL**

In the Matter of:)	Docket No. <u>IS&E 03/04-013</u>
)	
Former Kaiser Aerospace and Electronics Corporation)	IMMINENT AND SUBSTANTIAL ENDANGERMENT
)	DETERMINATION AND ORDER
Respondents:)	AND REMEDIAL ACTION ORDER
)	
Kaiser Aerospace and Electronics Corporation)	Health and Safety Code
400 Collins Road NE)	
M/S 124-323)	
Cedar Rapids, IA 52498)	
)	Sections 25355.5(a)(1)(B), 25358.3(a), 58009 and 58010
Redemco, LLC)	
395 Mill Creek Circle)	
Vail, Colorado 81657)	
)	
_____)	

I. INTRODUCTION

1.1 Parties. The California Environmental Protection Agency, Department of Toxic Substances Control (DTSC) issues this Imminent and Substantial Endangerment Determination and Order and Remedial Action Order (Order) to Kaiser Aerospace and Electronics Corporation (KAEC), a Nevada corporation doing business in California and REDEMCO, LLC, a Colorado limited liability company doing business in California (Respondents).

1.2 Property/Site. This Order applies to the properties located at 880 Doolittle Drive and 498 Hester Street, San Leandro, Alameda County, California 94577. The properties consist of two adjacent properties totaling 14 acres which are identified by Assessor's Parcel number(s) 77A-741-004-2 and 77A-741-005. A map showing the properties is attached as Exhibit A. This Order applies to the properties and the areal extent of contamination that resulted from activities on the properties (hereinafter, the "Site").

1.3 Jurisdiction. This Order is issued by DTSC to Respondents pursuant to its authority under Health and Safety Code sections 25358.3(a), 25355.5(a)(1)(B), 58009 and 58010.

Health and Safety Code section 25358.3(a) authorizes DTSC to take various actions, including issuance of an Imminent or Substantial Endangerment Determination and Order, when DTSC determines that there may be an imminent or substantial endangerment to the public health or welfare or to the environment, because of a release or a threatened release of a hazardous substance.

Health and Safety Code section 25355.5(a)(1)(B) authorizes DTSC to issue an order establishing a schedule for removing or remedying a release of a hazardous substance at a site, or for correcting the conditions that threaten the release of a hazardous substance. The order may include, but is not limited to, requiring specific dates by which the nature and extent of a release shall be determined and the site adequately characterized, a remedial action plan prepared and submitted to DTSC for approval, and a removal or remedial action completed.

Health and Safety Code section 58009 authorizes DTSC to commence and maintain all proper and necessary actions and proceedings to enforce its rules and regulations; to enjoin and abate nuisances related to matters within its jurisdiction which are dangerous to health; to compel the performance of any act specifically enjoined upon any person, officer, or board, by any law of this state relating to matters within its jurisdiction; and/or on matters within its jurisdiction, to protect and preserve the public health.

Health and Safety Code section 58010 authorizes DTSC to abate public nuisances related to matters within its jurisdiction.

II. FINDINGS OF FACT

DTSC hereby finds:

2.1 Liability of Respondents. Respondents is a responsible party or liable person as defined in Health and Safety Code section 25323.5

REDEMCO, LLC currently owns the Site and has owned the 880 Doolittle Drive and the 498 Hester Street properties since 2001.

Kaiser Industries Corporation owned the 880 Doolittle Drive Property from 1957 through 1963. Kaiser Aerospace & Electronics Corporation (KAEC) owned the property from 1963 through 2001. During that time KAEC manufactured rocket nozzles and aircraft parts on the property.

Kaiser Industries Corporation acquired the 498 Hester Street Property on September 6, 1963, and transferred it to KAEC on December 2, 1963. KAEC

owned the property from 1963 through 2001. During that time KAEC used the property for employee parking, light manufacturing and storage.

2.2 Physical Description of Site. The Site is made up of two properties totaling 14 acres. The 880 Doolittle Drive property has several buildings and is otherwise almost entirely paved with asphalt. The 498 Hester Street property has one building and was recently paved. The Site is located approximately 3,000 feet east of San Francisco Bay. Both properties are fenced and are currently occupied by an airport park-and-fly business.

Groundwater at the site has been divided into three zones. The A-zone is the groundwater which is encountered between 0 and 15 feet below ground surface (bgs). The B-zone is the groundwater which is encountered between 15 and 40 feet bgs. The C-zone is the groundwater encountered below 40 feet bgs.

2.3 Site History. From 1955 through 1957, aircraft bodies and parts were manufactured at the 880 Doolittle Drive property. Starting in 1957, the property was used for manufacturing rocket nozzles along with aircraft parts. The 880 Doolittle Drive property is occupied by two primary buildings, which are connected by a breezeway and total approximately 209,000-square feet in area. This property was historically used for the manufacture of rocket nozzles and aircraft parts.

The 498 Hester Street property was used for employee parking and storage from 1963 until 1976. The 498 Hester Street property is directly adjacent to the 880 Doolittle Drive property and includes a 7,200 square-foot building on the northern boundary line of the property. Historically, approximately 25 percent of the Hester Street property has been used as a parking area for workers at the adjacent facilities on the 880 Doolittle Drive property. The remainder has historically been used for a variety of light manufacturing and storage purposes. After 1976, KAEC leased 75% of the 498 Hester Street property to other businesses including a truck trailer repair and storage company and light manufacturing company.

From 1995 to October 2002, the Hester Street property was used by a cargo container repair and storage company. There is one building in the northern portion of the property that has a concrete floor and was used in the activities associated with container repair. In October 2002, the cargo container repair and storage company vacated the site.

In June 1995, SECOR International (an environmental consulting firm employed by Collette and Erickson, counsel for Kaiser Aerotech, a KAEC company) advanced nine borings to depths ranging from 7 to 10 feet below ground surface (bgs). Soil and groundwater samples were collected to assess the nature and extent of volatile organic compounds (VOCs) in the subsurface. Chlorinated hydrocarbons were detected in soil and groundwater and included trichloroethylene (TCE), cis 1,2-dichloroethene (cis 1,2-DCE), and vinyl chloride.

The investigation was documented in a Soil and Groundwater Investigation report, submitted as part of a request for Site Designation to the Site Designation Committee of the California Environmental Protection Agency.

In November 1995, the Site Designation Committee of the California Environmental Protection Agency designated the City of San Leandro as the administering agency to oversee the investigation and remediation of contamination at the Site, pursuant to California Health and Safety Code section 25260 et seq. DTSC and the California Regional Water Quality Control Board, San Francisco Region (RWQCB) continued as technical advisors to the City of San Leandro. In a May 13, 2004 letter KAEC requested, pursuant to Health and Safety Code section 25266, that the City of San Leandro concur in its request to withdraw from the Site Designation process. In a May 25, 2004 letter to the Site Designation Committee, the City of San Leandro concurred with KAEC's request.

In November 1995, SECOR advanced nine borings along the upgradient and downgradient site boundaries. VOCs in groundwater were detected in eight of the borings. VOCs detected in the A-zone included TCE, cis 1,2-DCE, vinyl chloride, and 1,1-dichloroethane (1,1-DCA).

In 1996 SECOR prepared a Source Area Evaluation Report documenting known and suspected sources for onsite and offsite areas based on aerial photographs and site operations. The following potential source areas were identified: the paint booth area, calibration office, plant maintenance area, plastics area, and oil yard/final inspection/bonding area.

In 1996, Clayton Environmental Consultants (Clayton), submitted a Removal Action Workplan to the City of San Leandro for excavation and disposal of VOC-impacted soil from the fence line area between the 498 Hester and the adjacent 717 Whitney Street properties. Between August and October 1996, the excavation, onsite treatment, and offsite disposal was performed. Upon completion of the excavation activities, a closure report was submitted to the City of San Leandro.

In May 1997, Clayton completed 52 shallow borings (between 4 and 7 feet bgs) and two deep borings (between 15 and 21 feet bgs) and collected seven surface soil samples at and in the immediate vicinity of the former KAEC facilities. Soil and groundwater samples were collected from each boring. Split samples were collected by SECOR during this investigation. SECOR did include the data collected from its split samples in the Remedial Investigation (RI) report.

Between 1996 and 2001, SECOR drafted an RI workplan and subsequent addenda addressing multiple tasks to be performed at the former KAEC facilities. In September 1997, SECOR submitted a technical memorandum to the City of San Leandro that summarized data collected to date, presented a conceptual

model for the site, and provided recommendations for additional investigations to address data gaps in preparation of the RI. In February 2001, SECOR submitted a Draft RI report documenting the above-mentioned investigations. The RI report was revised in October 2001 based on comments from the City of San Leandro. The RI Report recommended that additional onsite and offsite investigations be performed in order to evaluate potential offsite migration of contaminants and to evaluate onsite remedial areas.

In May 2001, SECOR submitted a workplan for an on- and offsite soil and groundwater investigation, which included placement of six onsite and six offsite temporary piezometers. The results of this investigation indicated the presence of VOCs onsite within the A-zone, with maximum concentrations of TCE and cis 1,2-DCE at 280 and 1,300 ug/L, respectively. TCE was detected in the B-zone onsite at a maximum concentration of 820 ug/L. Residual concentrations of VOCs were also detected in groundwater at offsite locations, with maximum TCE concentrations of 17 ug/L in the B-zone and 35 ug/L in the A-zone.

In January 2002, a total of 46 boreholes were advanced by SECOR for additional soil and groundwater sampling at the site. The results of the investigation were submitted to the City of San Leandro on in a June 25, 2002 report.

In June 2002, ETIC Engineering presented a revised hydrogeologic conceptual model to the City of San Leandro for the site based on a reevaluation of all historical data for the site. Based on this reevaluation, ETIC identified additional data gaps that were addressed by the supplemental investigations documented in the December 2002 Supplemental Site Investigation and Human Health Risk Assessment.

In November 2003, ETIC submitted a Feasibility Study Pilot Test Workplan to the City of San Leandro which proposes to conduct pilot studies for four different types of remedial technologies. This Workplan has not been approved for implementation.

In May 2004, ETIC submitted the Groundwater Monitoring Report for the Fourth Quarter 2003 and the First Quarter 2004 to DTSC. This report shows the highest concentrations of trichloroethylene (TCE) in groundwater to date of 750,000 parts per billion.

2.4 Hazardous Substances Found at the Site. A substance listed in Title 40, Code of Federal Regulations (CFR), Section 302.4, is designated as a hazardous substance pursuant to Section 102 of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) and Section 25316 of the California Health Safety Code. The following substances, listed in 40 CFR, Section 302.4, have been detected in the groundwater at the Site: 1,1-dichloroethane; 1,2-dichloroethane; 1,2-dichloroethylene; 1,1,2,2-tetrachloroethane; trichloroethylene; and vinyl chloride.

2.4.1 Table 1 lists hazardous substances detected in the groundwater at the Site that exceed Primary Maximum Contaminant Levels (MCLs: drinking water standards).

TABLE 1

SUBSTANCES DETECTED IN GROUNDWATER ABOVE MCLs*	RANGE OF CONCENTRATIONS IN PPB**	MCLs IN PPB
1,2-Dichloroethylene	ND*** to 37,000	10
Trichloroethylene	ND to 750,000	5
Vinyl chloride	ND to 990	0.5

Data reported in May 10, 2004 Groundwater Monitoring Report

*Maximum Contaminant Levels (drinking water standards)

**Parts Per Billion

***Non-detect

2.5 Health Effects.

2.5.1 1,2-Dichloroethylene (1,2-DCE). 1,2-DCE has anesthetic properties at high concentrations. High concentrations can produce nausea, vomiting, weakness, tremor, and cramps, followed by unconsciousness.

2.5.2 Trichloroethylene (TCE). TCE is listed as a chemical known to the State to cause cancer (listed pursuant to the Safe Drinking water and Toxic Enforcement Act of 1986). Acute exposure to TCE causes headache, dizziness, vertigo, tremors, irregular heartbeat, fatigue, nausea, vomiting, and blurred vision. TCE vapors may cause irritation of the eyes, nose, and throat. Long-term effects may include liver and kidney damage.

2.5.3 Vinyl chloride. Vinyl chloride is listed as a chemical known to the State to cause cancer (listed pursuant to the Safe Drinking water and Toxic Enforcement Act of 1986). Inhalation of vinyl chloride causes headache, dizziness, abdominal pain, numbness, and tingling of the extremities. Vinyl chloride vapors cause eye irritation and may cause skin irritation. Long term effects include liver damage and liver cancer. There is evidence that vinyl chloride causes mutagenicity.

2.6 Routes of Exposure. People working or living (e.g. unauthorized transient) inside the buildings could be exposed to contaminants via inhalation of volatile contaminants. Excavation of the soil in the areas where contamination exists could expose the workers to contamination via dermal contact or via inhalation of contaminants, either from soil or groundwater. If a well was installed in the contaminated groundwater zone, the well installers and well water users could be exposed via dermal contact, via inhalation of volatile contaminants, or via ingestion. The site is 3,000 feet from San Francisco Bay, which is used for

fishing and recreational activities. The RWQCB's Basin Plan for this area (the East Bay Plain) designates the beneficial uses of groundwater to include municipal, industrial and agricultural uses. All groundwater beneficial uses currently exist in the East Bay Plain.

2.7 Public Health and/or Environmental Risk. The population at risk includes those people who work or live inside the onsite buildings, who excavate into the contaminated soil or groundwater, or who otherwise come into contact with, inhale or ingest contaminated air, soil or groundwater.

III. CONCLUSIONS OF LAW

3.1 Respondents are each responsible parties as defined by Health and Safety Code section 25323.5.

3.2 Each of the substances listed in Section 2.4 is a "hazardous substance" as defined in Health and Safety Code section 25316.

3.3 There has been a "release" and/or there is a "threatened release" of hazardous substances listed in Section 2.4 at the Site, as defined in Health and Safety Code section 25320.

3.4 The actual and threatened release of hazardous substances at the Site may present an imminent and substantial endangerment to the public health or welfare or to the environment.

3.5 Response action is necessary to abate a public nuisance and/or to protect and preserve the public health.

IV. DETERMINATION

4.1 Based on the foregoing findings of fact and conclusions of law, DTSC hereby determines that response action is necessary at the Site because there has been a release and/or there is a threatened release of a hazardous substance.

4.2 Based on the foregoing findings of fact and conclusions of law, DTSC hereby determines that there may be an imminent and/or substantial endangerment to the public health or welfare or to the environment because of the release and/or the threatened release of the hazardous substances at the Site.

V. ORDER

Based on the foregoing FINDINGS, CONCLUSIONS, AND DETERMINATION, IT IS HEREBY ORDERED THAT Respondents conduct the

following response actions in the manner specified herein, and in accordance with a schedule specified by DTSC as follows:

5.1 All response actions taken pursuant to this Order shall be consistent with the requirements of Chapter 6.8 (commencing with section 25300), Division 20 of the Health and Safety Code and any other applicable state or federal statutes and regulations.

5.1.1 Remedial Action Objectives. Based on available information, DTSC has preliminarily determined that the remedial action objectives for the Site shall include:

(a) Existing and potential beneficial uses of groundwater shall be protected. The Regional Water Quality Control Board Basin Plan identifies public water supply as a beneficial use of this aquifer. Therefore, drinking water standards or more conservative values determined by a Risk Assessment shall be remedial action objectives for this Site.

5.1.2 Removal Actions. Respondents shall undertake removal actions if, during the course of the RI or FS, DTSC determines that they are necessary to mitigate the release of hazardous substances at or emanating from the Site. DTSC may require Respondents to submit a removal action workplan that includes a schedule for implementing the workplan for DTSC's approval. Either DTSC or Respondents may identify the need for removal actions.

5.1.3 Groundwater Monitoring. Respondents shall immediately continue interim groundwater monitoring in accordance with Exhibit B. Groundwater level measurements and groundwater sampling shall be conducted commencing in September 2004. Subsequent monitoring shall be conducted until DTSC determines it is appropriate to terminate monitoring.

5.2 Remedial Investigation/Feasibility Study (RI/FS). A RI/FS shall be conducted for the Site. The RI/FS may be performed as a series of focused RI/FS's, if appropriate, based on Site priorities. The RI/FS shall be prepared consistent with the U.S. Environmental Protection Agency's "Guidance for Conducting Remedial Investigations and Feasibility Studies under CERCLA," October 1988. The purpose of the RI/FS is to assess Site conditions and to evaluate alternatives to the extent necessary to select a remedy appropriate for the Site.

Respondents have previously conducted a Remedial Investigation and a Human Health Risk Assessment. A summary of the site data and the complete risk assessment is in the Supplemental Site Investigation and Human Health Risk Assessment for the Former Kaiser Aerotech Facilities, prepared by ETIC Engineering and dated December 27, 2002. DTSC will conduct a complete

review of this document to ensure that there are no previously unidentified data gaps and that the human health risk assessment is complete.

Because of the unknown nature of the Site and iterative nature of the RI/FS, additional data requirements and analyses may be identified throughout the process. In addition, if protocols for evaluating risk, such as that those for indoor air, change, DTSC may determine that additional analysis is warranted. Respondents shall fulfill additional data and analysis needs identified by DTSC; these additional data and analysis requests will be consistent with the general scope and objectives of this Order.

The following elements of the RI/FS process and shall be preliminarily defined in the initial Site scoping and refined and modified as additional information is gathered throughout the RI/FS process .

- (a) Conceptual Site Model identifying contamination sources, exposure pathways, and receptors;
- (b) Federal, State and local remedial action objectives including applicable legal requirements or relevant and appropriate standards;
- (c) Project phasing including the identification of removal actions and operable units;
- (d) General response actions and associated remedial technology types; and
- (e) The need for treatability studies.

5.2.1 RI/FS Objectives. The objectives of the RI/FS are to:

- (a) Determine the nature and full extent of hazardous substance contamination of air, soil, surface water and groundwater at the Site.
- (b) Identify all actual and potential exposure pathways and routes through environmental media;
- (c) Determine the magnitude and probability of actual or potential harm to public health, safety or welfare or to the environment posed by the threatened or actual release of hazardous substances at or from the Site;
- (d) Identify and evaluate appropriate response actions to prevent or minimize future releases and mitigate any releases which have already occurred; and
- (e) Collect and evaluate the information necessary to prepare a RAP.

5.2.2 FS Workplan. Within thirty [30] days of the effective date of this Order, Respondents shall prepare and submit to DTSC for review and approval a detailed FS Workplan and implementation schedule which covers all the activities necessary to conduct a complete RI/FS of the Site.

The FS Workplan shall include a detailed description of the tasks to be performed, information or data needed for each task, and the deliverables which will be submitted to DTSC. Either Respondents or DTSC may identify the need for additional work.

These FS Workplan deliverables are discussed in the remainder of this Section, with a schedule for implementation, and monthly reports. The FS Workplan shall include all the sections and address each component listed below.

(a) Project Management Plan. The Project Management Plan shall define relationships and responsibilities for major tasks and project management items by Respondents, its contractors, subcontractors, and consultants. The plan shall include an organization chart with the names and titles of key personnel and a description of their individual responsibilities.

(b) Field Sampling Plan. The Field Sampling Plan shall include:

(1) Sampling objectives, including a brief description of data gaps and how the field sampling plan will address these gaps;

(2) Sample locations, including a map showing these locations, and proposed frequency;

(3) Sample designation or numbering system;

(4) Detailed specification of sampling equipment and procedures;

(5) Sample handling and analysis including preservation methods, shipping requirements and holding times; and

(6) Management plan for wastes generated.

(c) Quality Assurance Project Plan. The plan shall include:

(1) Project organization and responsibilities with respect to sampling and analysis;

(2) Quality assurance objectives for measurement including accuracy, precision, and method detection limits. In selecting analytical methods,

Respondents shall consider obtaining detection limits at or below potentially applicable legal requirements or relevant and appropriate standards, such as Maximum Contaminant Levels (MCLs) or Maximum Contaminant Level Goals (MCLGs);

- (3) Sampling procedures;
- (4) Sample custody procedures and documentation;
- (5) Field and laboratory calibration procedures;
- (6) Analytical procedures;
- (7) Laboratory to be used certified pursuant to Health and Safety Code section 25198;
- (8) Specific routine procedures used to assess data (precision, accuracy and completeness) and response actions;
- (9) Reporting procedure for measurement of system performance and data quality;
- (10) Data management, data reduction, validation and reporting. Information shall be accessible to downloading into DTSC's system; and
- (11) Internal quality control.

(d) Health and Safety Plan. A site-specific Health and Safety Plan shall be prepared in accordance with federal (29 CFR 1910.120) and state (Title 8 CCR Section 5192) regulations. The plan should include at a minimum, the following elements:

- (1) Site Background/History/Workplan;
- (2) Key personnel and Responsibilities;
- (3) Job Hazard Analysis/Summary;
- (4) Employee Training;
- (5) Personal Protection;
- (6) Medical Surveillance;
- (7) Air Surveillance;
- (8) Site Control;

- (9) Decontamination;
- (10) Contingency Planning;
- (11) Confined Space Operations;
- (12) Spill Containment;
- (13) Sanitation;
- (14) Illumination; and
- (15) Other applicable requirements based on the work performed.

DTSC's Interim Draft Site Specific Health and Safety Plan Guidance Document for Site Assessment/Investigations, Site Mitigation Projects, Hazardous Waste Site Work Closure, Post Closure, and Operation and Maintenance Activities (DTSC 2000) can be used as a reference tool.

All contractors and all subcontractors shall be given a copy of the Health and Safety Plan prior to entering the Site. Any supplemental health and safety plans prepared by any subcontractor shall also be prepared in accordance with the regulations and guidance identified above. The prime contractor will be responsible for ensuring that all subcontractor supplemental health and safety plans will follow these regulations and guidelines.

(f) Other Activities. A description of any other significant activities which are appropriate to complete the RI/FS shall be included.

(g) Schedule. A schedule which provides specific time frames and dates for completion of each activity and report conducted or submitted under the FS Workplan.

5.2.3 FS Workplan Implementation. Respondents shall implement the approved FS Workplan.

5.2.4 FS Workplan Revisions. If Respondents proposes to modify any methods or initiates new activities for which no Field Sampling Plan, Health and Safety Plan, Quality Assurance Project Plan or other necessary procedures/plans have been established, Respondents shall prepare an addendum to the approved plan(s) for DTSC review and approval prior to modifying the method or initiating new activities.

5.3 Interim Screening and Evaluation of Remedial Technologies. At the request of DTSC, Respondents shall submit an interim document which identifies and evaluates potentially suitable remedial technologies and recommendations for treatability studies.

5.4 Treatability Studies. Treatability testing will be performed by Respondents to develop data for the detailed remedial alternatives. Treatability testing is required to demonstrate the implementability and effectiveness of technologies, unless Respondents can show DTSC that similar data or documentation or information exists. The required deliverables are: a workplan, a sampling and analysis plan, and a treatability evaluation report. To the extent practicable, treatability studies will be proposed and implemented during the latter part of Site characterization.

5.5 Remedial Investigation (RI) Report. The RI Report shall be prepared and submitted by Respondent(s) to DTSC for review and approval in accordance with the approved RI/FS workplan schedule. The purpose of the RI is to collect data necessary to adequately characterize the Site for the purposes of defining risks to public health and the environment and developing and evaluating effective remedial alternatives. Site characterization may be conducted in one or more phases to focus sampling efforts and increase the efficiency of the investigation. Respondent(s) shall identify the sources of contamination and define the nature, extent, and volume of the contamination. Using this information, the contaminant fate and transport shall be evaluated. The RI Report shall contain:

(a) Site Physical Characteristics. Data on the physical characteristics of the Site and surrounding area shall be collected to the extent necessary to define potential transport pathways and receptor populations and to provide sufficient engineering data for development and screening of remedial action alternatives.

(b) Sources of Contamination. Contamination sources (including heavily contaminated media) shall be defined. The data shall include the source locations, type of contaminant, waste characteristics, and Site features related to contaminant migration and human exposure.

(c) Nature and Extent of Contamination. Contaminants shall be identified and the horizontal and vertical extent of contamination shall be defined in soil, groundwater, surface water, sediment, air, and biota. Spatial and temporal trends and the fate and transport of contamination shall be evaluated.

5.6 Baseline Health and Ecological Risk Assessment. Respondent(s) shall perform health and ecological risk assessments for the Site that meet the requirements of Health and Safety Code §25356.1.5(b). Respondent(s) shall

submit a Baseline Health and Ecological Risk Assessment Report as required by DTSC. The report shall be prepared consistent with U.S. EPA and California Environmental Protection Agency guidance and regulations, including as a minimum: Risk Assessment Guidance for Superfund, Volume 1; Human Health Evaluation Manual, December 1989; Superfund Exposure Assessment Manual, April 1988; Risk Assessment Guidance for Superfund, Volume 2, Environmental Evaluation Manual, March 1989; Supplemental Guidance for Human Health Multimedia Risk Assessments of Hazardous Waste Sites and Permitted Facilities (DTSC, September 1993) and all other related or relevant policies, practices and guidelines of the California Environmental Protection Agency and policies, practices and guidelines developed by U.S.EPA pursuant to 40 CFR 300.400 et seq. The Baseline Health and Ecological Risk Assessment Report shall include the following components:

- (a) Contaminant Identification. Characterization data shall identify contaminants of concern for the risk assessment process.
- (b) Environmental Evaluation. An ecological assessment consisting of:
 - (1) Identification of sensitive environments and rare, threatened, or endangered species and their habitats; and
 - (2) As appropriate, ecological investigations to assess the actual or potential effects on the environment and/or develop remediation criteria.
- (c) Exposure Assessment. The objectives of an exposure assessment are to identify actual or potential exposure pathways, to characterize the potentially exposed populations, and to determine the extent of the exposure. Exposed populations may include industrial workers, residents, and subgroups that comprise a meaningful portion of the general population, including, but not limited to, infants, children, pregnant women, the elderly, individuals with a history of serious illness, or other subpopulations, that are identifiable as being at greater risk of adverse health effects due to exposure to hazardous substances than the general population.
- (d) Toxicity Assessment. Respondent(s) shall evaluate the types of adverse health or environmental effects associated with individual and multiple chemical exposures; the relationship between magnitude of exposures and adverse effects; and related uncertainties such as the weight of evidence for a chemical's potential carcinogenicity in humans.
- (e) Risk Characterization. Risk characterization shall include the potential risks of adverse health or environmental effects for each of the exposure scenarios derived in the exposure assessment.

5.7 Feasibility Study (FS) Report. The FS Report shall be prepared and submitted by Respondents to DTSC for review and approval, no later than sixty [60] days from completion of field activities conducted pursuant to the Feasibility Study Workplan. The FS Report shall summarize the results of the FS including the following:

- (a) Documentation of all treatability studies conducted.
- (b) Development of medium specific or operable unit specific remedial action objectives, including legal requirements and other promulgated standards that are relevant.
- (c) Identification and screening of general response actions, remedial technologies, and process options on a medium and/or operable unit specific basis.
- (d) Evaluation of alternatives based on the criteria contained in the NCP including:

Threshold Criteria:

- (1) Overall protection of human health and the environment.
- (2) Compliance with legal requirements and other promulgated standards that are relevant.

Primary Balancing Criteria:

- (1) Long-term effectiveness and permanence.
- (2) Reduction of toxicity, mobility, or volume through treatment.
- (3) Short-term effectiveness.
- (4) Implementability based on technical and administrative feasibility.
- (5) Cost.

Modifying Criteria:

- (1) State and local agency acceptance.
- (2) Community acceptance.
- (e) Proposed remedial actions.

5.8 Public Participation Plan (Community Relations). Respondents shall work cooperatively with DTSC in providing an opportunity for meaningful public participation in response actions. Any such public participation activities shall be conducted in accordance with H&SC §§ 25356.1 and 25358.7 and DTSC's most current Public Participation Policy and Guidance Manual, and shall be subject to DTSC's review and approval.

Respondents, in coordination with DTSC, shall conduct a baseline community survey and develop a Public Participation Plan (PPP) which describes how, under this Order, the public and adjoining community will be kept informed of activities conducted at the Site and how Respondents will be responding to inquiries from concerned citizens. Major steps in developing a PPP are as follows:

- (a) Develop proposed list of interviewees;
- (b) Schedule and conduct community interviews; and
- (c) Analyze interview notes, and develop objectives.

Respondents shall conduct the baseline community survey and prepare the PPP in consultation with DTSC's Public Participation Specialist.

Respondents shall implement any of the public participation support activities identified in the PPP, at the request of DTSC. DTSC retains the right to implement any of these activities independently. These activities include, but are not limited to, development and distribution of fact sheets; public meeting preparations; and development and placement of public notices.

5.9 California Environmental Quality Act (CEQA). DTSC will comply with CEQA for all activities required by this Order that are projects subject to CEQA. Upon DTSC request, Respondents shall provide DTSC with any information that DTSC deems necessary to facilitate compliance with CEQA. The costs incurred by DTSC in complying with CEQA are response costs and Respondents shall reimburse DTSC for such costs pursuant to Section 6.19.

5.10 Remedial Action Plan (RAP). No later than thirty [30] days after DTSC approval of the FS Report, Respondents shall prepare and submit to DTSC a draft RAP. The draft RAP shall be consistent with the NCP and Health and Safety Code section 25356.1. The draft RAP public review process may be combined with that of any other documents required by CEQA. The draft RAP shall be based on and summarize the approved RI/FS Reports, and shall clearly set forth:

- (a) Health and safety risks posed by the conditions at the Site.

- (b) The effect of contamination or pollution levels upon present, future, and probable beneficial uses of contaminated, polluted, or threatened resources.
- (c) The effect of alternative remedial action measures on the reasonable availability of groundwater resources for present, future, and probable beneficial uses.
- (d) Site specific characteristics, including the potential for offsite migration of hazardous substances, the surface or subsurface soil, and the hydro geologic conditions, as well as preexisting background contamination levels.
- (e) Cost-effectiveness of alternative remedial action measures. Land disposal shall not be deemed the most cost-effective measure merely on the basis of lower short-term cost.
- (f) The potential environmental impacts of alternative remedial action measures, including, but not limited to, land disposal of the untreated hazardous substances as opposed to treatment of the hazardous substances to remove or reduce their volume, toxicity, or mobility prior to disposal.
- (g) A statement of reasons setting forth the basis for the removal and remedial actions selected. The statement shall include an evaluation of each proposed alternative submitted and evaluate the consistency of the removal and remedial actions proposed by the plan with the NCP.
- (h) A schedule for implementation of all proposed removal and remedial actions.

In conjunction with DTSC, Respondents shall implement the public review process specified in DTSC's Public Participation Policy and Guidance Manual. DTSC will prepare a response to the public comments received. If required, the Respondents shall submit within two (2) weeks of the request the information necessary for DTSC to prepare this document.

Following DTSC's review and finalization of the Responsiveness Summary, DTSC will specify any changes to be made in the RAP. Respondents shall modify the document in accordance with DTSC's specifications and submit a final RAP within fifteen [15] days of receipt of DTSC's comments.

5.11 Remedial Design (RD). Within sixty [60] days of DTSC approval of the final RAP, Respondents shall submit to DTSC for review and approval a RD describing in detail the technical and operational plans for implementation of the final RAP which includes the following elements, as applicable:

- (a) Design criteria, process unit and pipe sizing calculations, process diagrams, and final plans and specifications for facilities to be constructed.
- (b) Description of equipment used to excavate, handle, and transport contaminated material.
- (c) A field sampling and laboratory analysis plan addressing sampling during implementation and to confirm achievement of the performance objectives of the RAP.
- (d) A transportation plan identifying routes of travel and final destination of wastes generated and disposed.
- (e) For groundwater extraction systems: aquifer test results, capture zone calculations, specifications for extraction and performance monitoring wells, and a plan to demonstrate that capture is achieved.
- (f) An updated health and safety plan addressing the implementation activities.
- (g) Identification of any necessary permits and agreements.
- (h) An operation and maintenance plan including any required monitoring.
- (i) A detailed schedule for implementation of the remedial action consistent with the schedule contained in the approved RAP including procurement, mobilization, construction phasing, sampling, facility startup, and testing.

5.12 Land Use Covenant. If the approved remedy in the Final RAP includes deed restrictions or land use restrictions, pursuant to California Code of Regulations, Title 22, Section 67391.1, the current owner(s) of the Site shall sign and record deed restrictions approved by DTSC within ninety [90] days of DTSC's approval of the final RAP.

5.13 Implementation of Final RAP. Upon DTSC approval of the RD, Respondents shall implement the final RAP in accordance with the approved schedule in the RD. Within thirty [30] days of completion of field activities, Respondents shall submit an Implementation Report documenting the implementation of the Final RAP and RD.

5.14 Operation and Maintenance (O&M). Respondents shall comply with all O&M requirements in accordance with the final RAP and approved RD. Within [30] days of the date of DTSC's request, Respondents shall prepare and submit to DTSC for approval an O&M plan that includes an implementation schedule.

Respondents shall implement the plan in accordance with the approved schedule.

5.15 Five-Year Review. Respondent shall review and reevaluate the remedial action after a period of five years from the completion of construction and startup, and every 5 year(s) thereafter. The review and reevaluation shall be conducted to determine if human health and the environment are being protected by the remedial action. Within thirty (30) calendar days before the end of the time period approved by DTSC to review and reevaluate the remedial action, Respondents shall submit a remedial action review workplan to DTSC for review and approval. Within sixty (60) days of DTSC's approval of the workplan, Respondents shall implement the workplan and shall submit a comprehensive report of the results of the remedial action review. The report shall describe the results of all sample analyses, tests and other data generated or received by Respondents and evaluate the adequacy of the implemented remedy in protecting public health, safety and the environment. As a result of any review performed under this Section, Respondents may be required to perform additional work or to modify work previously performed.

5.16 Changes During Implementation of the Final RAP. During the implementation of the final RAP and RD, DTSC may specify such additions, modifications, and revisions to the RD as DTSC deems necessary to protect public health and safety or the environment or to implement the RAP.

5.17 Stop Work Order. In the event that DTSC determines that any activity (whether or not pursued in compliance with this Order) may pose an imminent or substantial endangerment to the health or safety of people on the Site or in the surrounding area or to the environment, DTSC may order Respondents to stop further implementation of this Order for such period of time needed to abate the endangerment. In the event that DTSC determines that any site activities (whether or not pursued in compliance with this Order) are proceeding without DTSC authorization, DTSC may order Respondents to stop further implementation of this Order or activity for such period of time needed to obtain DTSC authorization, if such authorization is appropriate. Any deadline in this Order directly affected by a Stop Work Order, under this Section, shall be extended for the term of the Stop Work Order.

5.18 Emergency Response Action/Notification. In the event of any action or occurrence (such as a fire, earthquake, explosion, or human exposure to hazardous substances caused by the release or threatened release of a hazardous substance) during the course of this Order, Respondents shall immediately take all appropriate action to prevent, abate, or minimize such emergency, release, or immediate threat of release and shall immediately notify the Project Manager. Respondents shall take such action in consultation with the Project Manager and in accordance with all applicable provisions of this Order. Within seven days of the onset of such an event, Respondents shall furnish a

report to DTSC, signed by Respondents' Project Coordinator, setting forth the events which occurred and the measures taken in the response thereto. In the event that Respondents fail to take appropriate response and DTSC takes the action instead, Respondents shall be liable to DTSC for all costs of the response action. Nothing in this Section shall be deemed to limit any other notification requirement to which Respondents may be subject.

5.19 Discontinuation of Remedial Technology. Any remedial technology employed in implementation of the final RAP shall be left in place and operated by Respondents until and except to the extent that DTSC authorizes Respondents in writing to discontinue, move or modify some or all of the remedial technology because Respondents has met the criteria specified in the final RAP for its discontinuance, or because the modifications would better achieve the goals of the final RAP.

5.20 Financial Assurance. Respondents shall demonstrate to DTSC and maintain financial assurance for operation and maintenance and monitoring. Respondents shall demonstrate financial assurance prior to the time that operation and maintenance activities are initiated and shall maintain it throughout the period of time necessary to complete all required operation and maintenance activities. The financial assurance mechanisms shall meet the requirements of Health and Safety Code Section 25355.2. All financial assurance mechanisms are subject to the review and approval of DTSC.

VI. GENERAL PROVISIONS

6.1 Project Coordinator. Within ten [10] days of the date the Order is signed by DTSC, Respondents shall submit to DTSC in writing the name, address, and telephone number of a Project Coordinator whose responsibilities will be to receive all notices, comments, approvals, and other communications from DTSC. Respondents shall promptly notify DTSC of any change in the identity of the Project Coordinator. Respondents shall obtain approval from DTSC before the new Project Coordinator performs any work under this Order.

6.2 Project Engineer/Geologist. The work performed pursuant to this Order shall be under the direction and supervision of a qualified professional engineer or a registered geologist in the State of California, with expertise in hazardous substance site cleanups. Within fifteen [15] calendar days of the date this Order is signed by DTSC, Respondents must submit: a) The name and address of the project engineer or geologist chosen by Respondents; and b) in order to demonstrate expertise in hazardous substance cleanup, the resumé of the engineer or geologist, and the statement of qualifications of the consulting firm responsible for the work. Respondents shall promptly notify DTSC of any change in the identity of the Project Engineer/Geologist. Respondents shall obtain approval from DTSC before the new Project Engineer/Geologist performs any work under this Order.

6.3 Monthly Summary Reports. Within thirty [30] days of the date this Order is signed by DTSC, and on a monthly basis thereafter, Respondents shall submit a Monthly Summary Report of their activities under the provisions of this Order. The report shall be received by DTSC by the fifteenth [15th] day of each month and shall describe:

- (a) Specific actions taken by or on behalf of Respondents during the previous calendar month;
- (b) Actions expected to be undertaken during the current calendar month;
- (c) All planned activities for the next month;
- (d) Any requirements under this Order that were not completed;
- (e) Any problems or anticipated problems in complying with this Order; and
- (f) All results of sample analyses, tests, and other data generated under this Order during the previous calendar month, and any significant findings from these data.

6.4 Quality Assurance/Quality Control (QA/QC). All sampling and analysis conducted by Respondents under this Order shall be performed in accordance with QA/QC procedures submitted by Respondents and approved by DTSC pursuant to this Order.

6.5 Submittals. All submittals and notifications from Respondents required by this Order shall be sent to:

Barbara J. Cook, P.E., Branch Chief
Attention: Jayantha Randeni
Northern California Coastal Cleanup Operations
Department of Toxic Substances Control
700 Heinz Avenue, Suite 100
Berkeley, California 94710

6.6 Communications. All approvals and decisions of DTSC made regarding submittals and notifications will be communicated to Respondents in writing by the Site Mitigation Branch Chief or his/her designee. No informal advice, guidance, suggestions or comments by DTSC regarding reports, plans, specifications, schedules or any other writings by Respondents shall be construed to relieve Respondents of the obligation to obtain such formal approvals as may be required.

6.7 DTSC Review and Approval. (a) All response actions taken pursuant to this Order shall be subject to the approval of DTSC. Respondents shall submit all deliverables required by this Order to DTSC. Once the deliverables are approved by DTSC, they shall be deemed incorporated into, and where applicable, enforceable under this Order.

(b) If DTSC determines that any report, plan, schedule or other document submitted for approval pursuant to this Order fails to comply with this Order or fails to protect public health or safety or the environment, DTSC may:

(1) Modify the document as deemed necessary and approve the document as modified; or

(2) Return comments to Respondents with recommended changes and a date by which Respondents must submit to DTSC a revised document incorporating the recommended changes.

(c) Any modifications, comments or other directives issued pursuant to (a) above, are incorporated into this Order. Any noncompliance with these modifications or directives shall be deemed a failure or refusal to comply with this Order.

6.8 Compliance with Applicable Laws. Nothing in this Order shall relieve Respondents from complying with all other applicable laws and regulations, including but not limited to compliance with all applicable waste discharge requirements issued by the State Water Resources Control Board or a California Regional Water Quality Control Board. Respondents shall conform all actions required by this Order with all applicable federal, state and local laws and regulations.

6.9 Respondent Liabilities. Nothing in this Order shall constitute or be construed as a satisfaction or release from liability for any conditions or claims arising as a result of past, current or future operations of Respondents. Nothing in this Order is intended or shall be construed to limit the rights of any of the parties with respect to claims arising out of or relating to the deposit or disposal at any other location of substances removed from the Site. Nothing in this Order is intended or shall be construed to limit or preclude DTSC from taking any action authorized by law to protect public health or safety or the environment and recovering the cost thereof. Notwithstanding compliance with the terms of this Order, Respondents may be required to take further actions as are necessary to protect public health and the environment.

6.10 Site Access. Access to the Site and laboratories used for analyses of samples under this Order shall be provided at all reasonable times to employees, contractors, and consultants of DTSC. Nothing in this Section is intended or shall be construed to limit in any way the right of entry or inspection

that DTSC or any other agency may otherwise have by operation of any law. DTSC and its authorized representatives shall have the authority to enter and move freely about all property at the Site at all reasonable times for purposes including, but not limited to: inspecting records, operating logs, sampling and analytic data, and contracts relating to this Site; reviewing the progress of Respondents in carrying out the terms of this Order; conducting such tests as DTSC may deem necessary; and verifying the data submitted to DTSC by Respondents.

To the extent the Site or any other property to which access is required for the implementation of this Order is owned or controlled by persons other than Respondents, Respondents shall use best efforts to secure from such persons access for Respondents, as well as DTSC, its representatives, and contractors, as necessary to effectuate this Order. To the extent that any portion of the Site is controlled by tenants of Respondents, Respondents shall use best efforts to secure from such tenants access for Respondents, as well as for DTSC, its representatives, and contractors, as necessary to effectuate this Order. For purposes of this Section, "best efforts" includes the payment of reasonable sums of money in consideration of access. If any access required to complete the work is not obtained within forty-five (45) days of the effective date of this Order, or within forty-five (45) days of the date DTSC notifies Respondents in writing that additional access beyond that previously secured is necessary, Respondents shall promptly notify DTSC, and shall include in that notification a summary of the steps Respondents has taken to attempt to obtain access. DTSC may, as it deems appropriate, assist Respondents in obtaining access. Respondents shall reimburse DTSC in obtaining access, including, but not limited to, attorney's fees and the amount of just compensation.

6.11 Sampling, Data and Document Availability. Respondents shall permit DTSC and its authorized representatives to inspect and copy all sampling, testing, monitoring or other data generated by Respondents or on Respondents' behalf in any way pertaining to work undertaken pursuant to this Order. Respondents shall submit all such data upon the request of DTSC. Copies shall be provided within seven [7] days of receipt of DTSC's written request. Respondents shall inform DTSC at least seven [7] days in advance of all field sampling under this Order, and shall allow DTSC and its authorized representatives to take duplicates of any samples collected by Respondents pursuant to this Order. Respondents shall maintain a central depository of the data, reports, and other documents prepared pursuant to this Order.

6.12 Record Retention. All such data, reports and other documents shall be preserved by Respondents for a minimum of ten years after the conclusion of all activities under this Order. If DTSC requests that some or all of these documents be preserved for a longer period of time, Respondents shall either comply with that request or deliver the documents to DTSC, or permit DTSC to copy the documents prior to destruction. Respondents shall notify DTSC in

writing at least six months prior to destroying any documents prepared pursuant to this Order.

6.13 Government Liabilities. The State of California shall not be liable for any injuries or damages to persons or property resulting from acts or omissions by Respondents, or related parties specified in Section 6.26, Parties Bound, in carrying out activities pursuant to this Order, nor shall the State of California be held as party to any contract entered into by Respondents or its agents in carrying out activities pursuant to this Order.

6.14 Additional Actions. By issuance of this Order, DTSC does not waive the right to take any further actions authorized by law.

6.15 Extension Requests. If Respondents are unable to perform any activity or submit any document within the time required under this Order, Respondents may, prior to expiration of the time, request an extension of the time in writing. The extension request shall include a justification for the delay. All such requests shall be made in advance of the date on which the activity or document is due.

6.16 Extension Approvals. If DTSC determines that good cause exists for an extension, it will grant the request and specify a new schedule in writing. Respondents shall comply with the new schedule incorporated in this Order.

6.17 Liability for Costs. Respondents are liable for all of DTSC's costs that have been incurred in taking response actions at the Site (including costs of overseeing response actions performed by Respondents) and costs to be incurred in the future.

6.18 Payment of Costs. DTSC may bill Respondents for costs incurred in taking response actions at the Site prior to the effective date of this Order. DTSC will bill Respondents quarterly for its response costs incurred after the effective date of this Order. Respondents shall pay DTSC within sixty (60) days of receipt of any DTSC billing. Any billing not paid within sixty (60) days is subject to interest calculated from the date of the billing pursuant to Health and Safety Code section 25360.1. All payments made by Respondents pursuant to this Order shall be by cashier's or certified check made payable to this "DTSC," and shall bear on the face the project code of the Site (Site 200559) and the Docket number of this Order. Payments shall be sent to:

Department of Toxic Substances Control
Accounting/Cashier
1001 I Street, 21st Floor
P.O. Box 806
Sacramento, California 95812-0806

A photocopy of all payment checks shall also be sent to the person designated by DTSC to receive submittals under this Order.

6.19 Severability. The requirements of this Order are severable, and Respondents shall comply with each and every provision hereof, notwithstanding the effectiveness of any other provision.

6.20 Incorporation of Plans, Schedules and Reports. All plans, schedules, reports, specifications and other documents that are submitted by Respondents pursuant to this Order are incorporated in this Order upon DTSC's approval or as modified pursuant to Section 6.7, DTSC Review and Approval, and shall be implemented by Respondents. Any noncompliance with the documents incorporated in this Order shall be deemed a failure or refusal to comply with this Order.

6.21 Modifications. DTSC reserves the right to unilaterally modify this Order. Any modification to this Order shall be effective upon the date the modification is signed by DTSC and shall be deemed incorporated in this Order.

6.22 Time Periods. Unless otherwise specified, time periods begin from the effective date of this Order and "days" means calendar days.

6.23 Termination and Satisfaction. Except for Respondents' obligations under Sections 5.14 Operation and Maintenance (O&M), 5.15 Five-Year Review, 5.20 Financial Assurance, 6.12 Record Retention, 6.17 Liability for Costs, and 6.18 Payment of Costs, Respondents' obligations under this Order shall terminate and be deemed satisfied upon Respondents' receipt of written notice from DTSC that Respondents have complied with all the terms of this Order.

6.24 Parties Bound. This Order applies to and is binding upon Respondents, and their officers, directors, agents, employees, contractors, consultants, receivers, trustees, successors and assignees, including but not limited to, individuals, partners, and subsidiary and parent corporations. Respondents shall provide a copy of this Order to all contractors, subcontractors, laboratories, and consultants which are retained to conduct any work performed under this Order, within fifteen [15] days of the effective date of this Order or the date of retaining their services, whichever is later. Respondents shall condition any such contracts upon satisfactory compliance with this Order. Notwithstanding the terms of any contract, Respondents are responsible for compliance with this Order and for ensuring that their subsidiaries, employees, contractors, consultants, subcontractors, agents and attorneys comply with this Order.

6.25 Change in Ownership. No change in ownership or corporate or partnership status relating to the Site shall in any way alter Respondents' responsibility under this Order. No conveyance of title, easement, or other

interest in the Site, or a portion of the Site, shall affect Respondents' obligations under this Order. Unless DTSC agrees that such obligations may be transferred to a third party, Respondents shall be responsible for and liable for any failure to carry out all activities required of Respondents by the terms and conditions of this Order, regardless of Respondents' use of employees, agents, contractors, or consultants to perform any such tasks. Respondents shall provide a copy of this Order to any subsequent owners or successors before ownership rights or stock or assets in a corporate acquisition are transferred.

VII. NOTICE OF INTENT TO COMPLY

7. Not later than fifteen (15) days after the effective date of this Order, Respondents shall provide written notice, in accordance with paragraph 6.5 Submittals of this Order, stating whether or not Respondents will comply with the terms of this Order. If Respondents, or either of them, do not unequivocally commit to perform all of the requirements of this Order, they, or each so refusing, shall be deemed to have violated this Order and to have failed or refused to comply with this Order. Respondents' written notice shall describe, using facts that exist on or prior to the effective date of this Order, any "sufficient cause" defenses asserted by Respondents under Health and Safety Code sections 25358.3(a) and 25355.5(a)(1)(B) or CERCLA section 107(c)(3), 42 U.S.C. section 9607(c)(3).

VIII. EFFECTIVE DATE

8. This Order is final and effective five days from the date of mailing, which is the date of the cover letter transmitting the Order to you.

IX. PENALTIES FOR NONCOMPLIANCE

9. Each Respondent may be liable for penalties of up to \$25,000 for each day it is out of compliance with any term or condition set forth in this Order and for punitive damages up to three times the amount of any costs incurred by DTSC as a result of its failure to comply, pursuant to Health and Safety Code sections 25359, 25359.2, 25359.4, and 25367(c). Health and Safety Code section 25359.4.5 provides that a responsible party who complies with this Order, or with another order or agreement concerning the same response actions required by this Order, may seek treble damages from any Respondent who fails or refuses to comply with this Order without sufficient cause.

DATE OF ISSUANCE: June 18, 2004

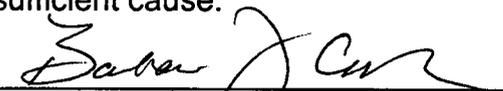

Barbara J. Cook, P.E.
Branch Chief
Northern California
Coastal Cleanup Operations
Department of Toxic Substances Control

EXHIBIT A

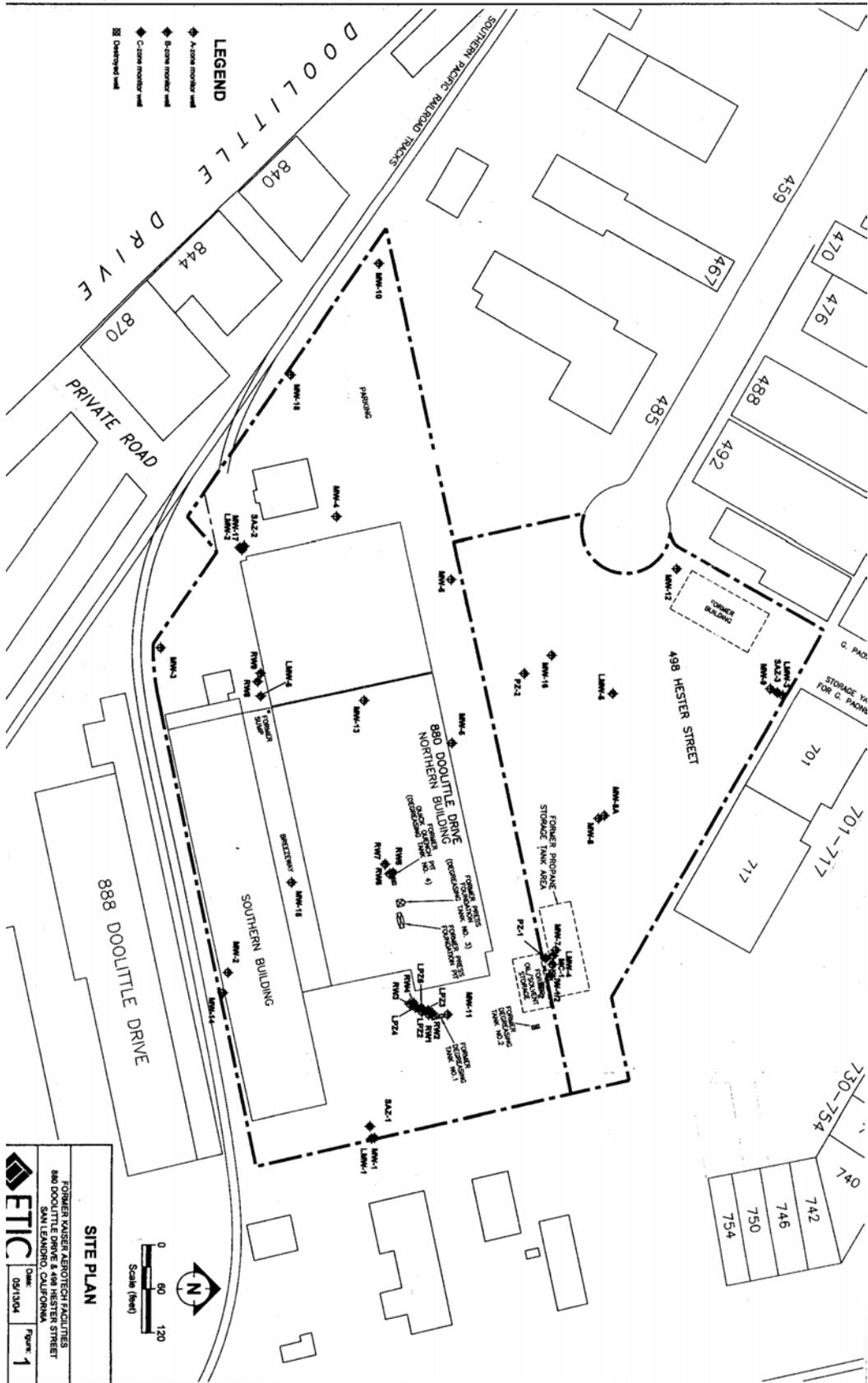


EXHIBIT B
Groundwater Sampling Schedule
For VOC using EPA 8260B Method

Monitoring well Number	Frequency of sampling	Monitoring well Number	Frequency of sampling
MW-1	Annually	LMW-6	Quarterly
MW-2	Annually	PZ-1	Annually
MW-3	Annually	LPZ-2	Quarterly
MW-4	Semi-annually	LPZ-3	Quarterly
MW-5	Semi-annually	LPZ-4	Quarterly
MW-6	Semi-annually	LPZ-5	Quarterly
MW-7	Semi-annually	RW-1	Quarterly
MW-8	Semi-annually	RW-2	Quarterly
MW-8A	Semi-annually	RW-3	Quarterly
MW-9	Annually	RW-4	Quarterly
MW-10	Annually	RW-5	Quarterly
MW-11	Semi-annually	RW-6	Quarterly
MW-12	Annually	RW-7	Quarterly
MW-13	Semi-annually	RW-8	Quarterly
MW-14	Annually	RW-9	Quarterly
MW-15	Annually	SAZ-1	Quarterly
MW-16	Semi-annually	SAZ-2	Annually
MW-17	Semi-annually	SAZ-3	Annually
MW-18	Semi-annually	MC-1A	Annually
PZ-2	Semi-annually	MC-1B	Annually
LMW-1	Semi-annually	MC-1C	Annually
LMW-2	Quarterly	MC-1D	Annually
LMW-3	Annually	MC-1E	Annually
LMW-4	Semi-annually	MC-1F	Annually
LMW-5	Semi-annually		