

15 August 2009

Barbara J. Cook, P.E.  
Performance Manager  
Brownfields and Environmental Restoration Program  
Attention: Lynn Nakashima  
Department of Toxic Substances Control  
700 Heinz Avenue, Suite 200  
Berkeley, California 94710

RE: August 2009 Monthly Summary Report  
Site Investigation Order  
Docket No.'s 04/05-006 and IS/E-RAO 06/07-005

Dear Barbara and Lynn,

Erler & Kalinowski, Inc. ("EKI") has prepared this letter on behalf of Cherokee Simeon Venture I, LLC ("CSV"), Zeneca Inc. ("Zeneca"), and Bayer CropScience Inc. ("Bayer"), collectively known as the Respondents to the Orders, to fulfill the monthly reporting requirements to the California Environmental Protection Agency, Department of Toxic Substances Control ("DTSC") for the former Zeneca property, now known as the Campus Bay Site ("Site"), that is the subject of Site Investigation Order, Docket No. 04/05-006 and Site Investigation and Remediation Order, Docket No. IS/E-RAO 06/07-005 (collectively the "Orders").<sup>1</sup> The Site is located between Meade Street, University of California - Richmond Field Station, South 49<sup>th</sup> Street, and East Stege Marsh, in Richmond, Contra Costa County, California 94804. The monthly reporting requirements are outlined in Section 6.4 of the Orders.

This summary report has been organized according to Section 6.4 of the Orders and contains a description of:

1. Specific actions taken by or on behalf of Respondents during the previous calendar month.
2. Actions expected to be undertaken during the current calendar month.
3. All planned activities for the next month.
4. Any requirements under the Orders that were not completed.
5. Any problems or anticipated problems in complying with the Orders.
6. All results of sample analyses, tests, and other data generated under the Order, Docket No. 04/05-006 during the previous calendar month, and any significant findings from these data.

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<sup>1</sup> The Regents of the University of California is also a respondent to the DTSC Order, Docket No. IS/E-RAO 06/07-005.

1. Specific actions taken by or on behalf of Respondents during the previous calendar month.

The actions taken by or on behalf of Respondents this previous calendar month (July 2008) are as follows:

- Continued up-keep and maintenance activities associated with the HEA revegetation in accordance with the HEA Planting Plan summarized in Appendix A of the *Conceptual Remediation and Risk Management Plan for the Habitat Enhancement Area*, dated 4 October 2002.
- Continued weed control activities on the temporary cap (as necessary).
- Submitted a pilot study work plan to DTSC entitled *Second Addendum to the Treatability and Pilot Study Work Plan for Localized Occurrences of Volatile Organic Compounds in Groundwater, Lots 1 and 2*, dated 14 July 2009.
- Respondents worked with the University of California on obtaining a site access agreement to perform the work described in the above work plan.
- Continued preparation of an ecological scoping assessment for the Freshwater Lagoons.
- Continued discussions with DTSC regarding potential remedial alternatives for the Freshwater Lagoons.
- Continued discussions with DTSC regarding the project path forward for the Southeast Parcel.
- Respondents attended the monthly CAG meeting on 9 July 2009.
- Prepared annotated outline regarding the polychlorinated biphenyl (“PCB”) risk analysis associated with the Freshwater Lagoons for the U.S. Environmental Protection Agency.
- In accordance with the Soil Gas Sampling Work Plan Addendum, completed construction and sampling of new semi-permanent soil gas wells on Lot 3 and sampled previously installed soil gas wells.
- Initiated preparation of a report summarizing soil gas well installation activities on Lot 3 and soil gas sampling results.
- Submitted the 2<sup>nd</sup> quarter groundwater and surface water monitoring report, dated 31 July 2009, to the DTSC. The report identified well repair/maintenance activities to be completed during the 3<sup>rd</sup> quarter of 2009.
- Initiated preparation of a work plan to install four piezometers in the vicinity of the Upper and Lower Freshwater Lagoons, as required by DTSC in their letter dated 18 June 2009.
- Initiated preparation of a work plan to pilot test remedial alternatives for inorganics detected in groundwater downgradient of the biologically active permeable barrier (“BAPB”), in the vicinity of MW-10A, MW-10B, MW-11A, and MW-11B.

2. Actions expected to be undertaken during the current calendar month

The Respondents intend to complete the following activities this month (August 2009):

- Perform 3<sup>rd</sup> quarter groundwater monitoring the week of 3 August 2009.

- Continue up-keep and maintenance activities associated with the HEA revegetation in accordance with the HEA Planting Plan summarized in the *Conceptual Remediation and Risk Management Plan for the Habitat Enhancement Area*, dated 4 October 2002.
- Continue weed control activities on the temporary cap (as necessary).
- Provide the U.S. Environmental Protection Agency with an annotated outline, dated 7 August 2009, regarding the PCB risk analysis for the Freshwater Lagoons.
- Continue preparation of an ecological scoping assessment for the Freshwater Lagoons.
- Continue discussions with DTSC regarding potential remedial alternatives for the Freshwater Lagoons.
- Continue discussions with DTSC regarding the project path forward for the Southeast Parcel.
- Continue preparation of a report summarizing soil gas well installation activities on Lot 3 and soil gas sampling results.
- Respondents plan to attend the monthly CAG meeting on 13 August 2009.
- Pending DTSC approval of the Lots 1 and 2 pilot study work plan for VOCs in groundwater, initiate pilot study activities.
- Submit a pilot study work plan for inorganics detected in groundwater downgradient of the BAPB, in the vicinity of wells MW-10A, MW-10B, MW-11A, and MW-11B.
- Submit a work plan to install four piezometers in the vicinity of the Upper and Lower Freshwater Lagoons, as required by DTSC in their letter dated 18 June 2009.

### 3. All planned activities for the next month

The Respondents intend to conduct the following activities next month (September 2009).

- Continue up-keep and maintenance activities associated with the HEA revegetation in accordance with the HEA Planting Plan summarized in the *Conceptual Remediation and Risk Management Plan for the Habitat Enhancement Area*, dated 4 October 2002.
- Continue weed control activities on the temporary cap (as necessary).
- Continue to work with the U.S. Environmental Protection Agency regarding the PCB risk analysis associated with the Freshwater Lagoons.
- Continue preparation of an ecological scoping assessment for the Freshwater Lagoons.
- Continue discussions with DTSC regarding potential remedial alternatives for the Freshwater Lagoons.
- Continue discussions with DTSC regarding the project path forward for the Southeast Parcel.
- Respondents plan to attend the monthly CAG meeting on 10 September 2009.
- Continue activities associated with the Lots 1 and 2 pilot study work plan for VOCs in groundwater (timing dependent on DTSC approval of the work plan).
- Pending DTSC approval of the pilot study work plan for inorganics detected in groundwater downgradient of the BAPB, initiate pilot study activities.
- Pending DTSC approval of the work plan to install four piezometers in the vicinity of the Upper and Lower Lagoons, install the piezometers.
- Pending DTSC approval, complete groundwater monitoring well repair/maintenance activities identified in the 2<sup>nd</sup> quarter groundwater monitoring report.

- Submit a report to DTSC summarizing soil gas well installation activities on Lot 3 and soil gas sampling results.
- 4. Any requirements under the Order that were not completed
  - None
- 5. Any problems or anticipated problems in complying with this Order
  - None
- 6. 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
  - Results from soil gas sampling performed on Lot 3 will be summarized in a report submitted to DTSC in September 2009.

If you have any questions or comments regarding this report, please feel free to contact Douglas Mosteller of CSV at (303) 689-1476.

Very truly yours,

ERLER & KALINOWSKI, INC.



Michelle Kriegman King, Ph.D.  
Vice President

cc: John D. Edgcomb, Edgcomb Law Group  
Doug Mosteller, Cherokee Simeon Venture I, LLC  
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