

15 July 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: July 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. ("EKL") 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").¹ The Site is located between Meade Street, University of California - Richmond Field Station, South 49th 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.

¹ 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 (June 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).
- Respondents met with DTSC on 4 June 2009 to discuss the on-going ecological scoping assessment and potential remedial alternatives for the Freshwater Lagoons, the project path forward for the Southeast Parcel, the soil gas sampling work plan addendum, the pilot study work plan for volatile organic compounds in groundwater on Lots 1 and 2, and a pilot study associated with inorganics in groundwater samples collected from well MW-9.
- Respondents attended the monthly CAG meeting on 11 June 2009.
- Submitted the "Soil-Gas Well Installation and Work Plan Addendum for the Installation and Sampling of 17 Additional Soil-Gas Wells, Lot 3, Campus Bay, Former Zeneca Facility, Richmond, California," dated 3 June 2009 ("Soil Gas Sampling Work Plan Addendum").
- Initiated construction and sampling of new semi-permanent soil gas wells the week of 29 June 2009 in accordance with the Soil Gas Sampling Work Plan Addendum.
- Submitted to DTSC the 18 June 2009 letter with subject line, "Response to Comments from the Department of Toxic Substances Control Regarding the Results of the 2008 Pore Water and Sediment Sampling Analysis Report for the East Stege Marsh, Campus Bay, Former Zeneca Facility, Richmond, California." As required by DTSC, this letter also included responses to specific comments (as identified by the DTSC) provided in a memorandum prepared by Dr. Stuart Siegel that accompanied the letter from the Richmond Southeast Shoreline Area Community Advisory Group ("CAG"), dated 12 May 2009.

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

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

- Continue 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.
- Continue weed control activities on the temporary cap (as necessary).
- Submit a pilot study work plan to DTSC for volatile organic compounds in groundwater on Lots 1 and 2.
- 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 9 July 2009.
- Provide the U.S. Environmental Protection Agency with an annotated outline regarding the PCB risk analysis for the Freshwater Lagoons.
- In accordance with the Soil Gas Sampling Work Plan Addendum, complete construction and sampling of new semi-permanent soil gas wells on Lot 3 and sample previously installed soil gas wells.
- Initiate preparation of a report summarizing soil gas well installation activities on Lot 3 and soil gas sampling results.
- Submit the 2nd quarter groundwater and surface water monitoring report to the DTSC by 31 July 2009. The report will identify well repair/maintenance activities to be completed prior to the 3rd quarter groundwater monitoring event.
- Initiate preparation of a work plan to install the groundwater monitoring wells required by DTSC in their letter dated 18 June 2009.
- Initiate 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-9.

3. All planned activities for the next month

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

- Perform 3rd 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).
- 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 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 MW-9.
- Submit a work plan to install the groundwater monitoring wells required by DTSC in their letter dated 18 June 2009.
- Pending DTSC approval, complete repair/maintenance activities for the groundwater monitoring wells identified in the 2nd quarter groundwater monitoring report.

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 August 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
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