15 September 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: September 2009 Monthly Summary Report
Site Investigation Order
Docket No. 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").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 (August 2008) are as follows:

- Performed 3rd quarter groundwater monitoring the week of 3 August 2009.
- 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 worked with the University of California on obtaining a site access agreement to perform the work described in the *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 ("Lots 1 and 2 Pilot Study Work Plan").
- Respondents participated in a teleconference with DTSC on 5 August 2009 to discuss 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.
- Continued discussions with DTSC regarding the project path forward for the Southeast Parcel.
- Continued preparation of a report summarizing soil gas well installation activities on Lot 3 completed in July 2009 and the soil gas sampling results.
- Respondents attended the monthly CAG meeting on 13 August 2009.
- Continued preparation of an ecological scoping assessment for the Freshwater Lagoons.
- Continued discussions with DTSC regarding potential remedial alternatives for the Freshwater Lagoons.
- Provided the U.S. Environmental Protection Agency with an annotated outline, dated 7 August 2009, regarding the polychlorinated biphenyl ("PCB") risk analysis for the Freshwater Lagoons.
- Submitted a memorandum to DTSC on 21 August 2009 with the subject *Additional Groundwater Characterization and Groundwater Treatability Study Work Plan, Lot 3, Campus Bay, Richmond, California* to document discussions during the August 5th teleconference.
2. **Actions expected to be undertaken during the current calendar month**

The Respondents intend to complete the following activities this 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.
- Submit the *Fourth Annual Monitoring Report, East Stege Marsh, Monitoring Plan Implementation, Campus Bay, Richmond, California*.
- 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 to work with the U.S. Environmental Protection Agency regarding the PCB risk analysis associated with the Freshwater Lagoons.
- Pending DTSC approval of the work plan to install four piezometers in the vicinity of the Upper and Lower Lagoons, install the piezometers.
- Continue discussions with DTSC regarding the project path forward for the Southeast Parcel.
- Initiate the well repair/maintenance activities identified in the 2nd quarter groundwater and surface water monitoring report, dated 31 July 2009.
- Respondents plan to attend the monthly CAG meeting on 10 September 2009.
- Submit a report to DTSC summarizing soil gas well installation activities on Lot 3 completed in July 2009 and the soil gas sampling results.
- Per DTSC’s request, submit an appendix to the Lots 1 and 2 Pilot Study Work Plan summarizing groundwater characterization data.
- Pending DTSC approval of the Lots 1 and 2 Pilot Study Work Plan, 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.
- Pending DTSC approval of the pilot study work plan for inorganics detected in groundwater downgradient of the BAPB, initiate pilot study activities.

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

The Respondents intend to conduct the following activities next month (October 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). If necessary, apply additional cap material in localized areas of the temporary cap.
• 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.
• Continue implementation of the Lots 1 and 2 Pilot Study Work Plan (timing dependent on DTSC approval of the work plan).
• Continue implementation of the Lot 3 Pilot Study Work Plan (timing dependent on DTSC approval of the work plan).
• Submit to DTSC a Time Critical Removal Action for Lot 2 stockpile removal and grading, per DTSC letter dated 8 September 2009.
• Submit the 3rd Quarter 2009 Groundwater and Surface Water Quarterly Report to the DTSC.
• Respondents plan to attend the monthly CAG meeting on 8 October 2009.

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 groundwater sampling performed during August 2009 will be discussed in the 3rd quarter monitoring report, which will be submitted to the DTSC by 31 October 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.

[Signature]
Michelle Kriegman King, Ph.D.
Vice President

cc: John D. Edgcomb, Edgcomb Law Group
    Doug Mosteller, Cherokee Simeon Venture I, LLC
    Lynn Nakashima, DTSC
    Andrew Romolo, LFR
    Brian A. Spiller, Zeneca Inc.
    Karl Hans, UC
    Anthony O. Garvin, Esq., UC Counsel
    Tracy Barreau, CDPH