

# Exhibit L

From: [Ju-Tseng Liu \[JLIU@rb4.swrcb.ca.gov\]](mailto:JLIU@rb4.swrcb.ca.gov)

Sent: Fri 10/1/2004 5:20 PM

To: [Eddie Arslanian](#)

Cc: [David Young](#)

Subject: RE: Valley-Alhambra: NFA Form

Attachments:

[View As Web Page](#)

**\*\* Reply Requested When Convenient \*\***

Hi Eddie:

I have completed my review of the closure packet and discuss the closure with the Remediation Section chief, Dr. Arthur Heath. Dr. Heath has asked us to check to see if this site is located within the San Gabriel Valley US EPA Superfund area. Please advise. Thanks. JT

J.T. Liu  
Senior Water Resources Control Engineer  
Los Angeles Regional Water Quality Control Board  
Site Cleanup Unit II

(213) 576-6667 (tel)  
(213) 576-6717 (fax)  
E-Mail: [Jliu@rb4.swrcb.ca.gov](mailto:Jliu@rb4.swrcb.ca.gov)

>>> "Eddie Arslanian" <[EARslanian@environcorp.com](mailto:EARslanian@environcorp.com)> 10/01/04 03:32PM >>>  
Hi guys, are we getting close on this?

-----Original Message-----

From: Ju-Tseng Liu [<mailto:jliu@rb4.swrcb.ca.gov>]  
Sent: Wednesday, September 08, 2004 10:53 AM  
To: Eddie Arslanian  
Cc: David Young  
Subject: Re: Valley-Alhambra: NFA Form

**\*\* Reply Requested When Convenient \*\***

Hi Eddie:

I am away from my office today and will talk with Dave Young tomorrow. Thanks. JT

J.T. Liu  
Senior Water Resources Control Engineer  
Los Angeles Regional Water Quality Control Board  
Site Cleanup Unit II

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E-Mail: [Jliu@rb4.swrcb.ca.gov](mailto:Jliu@rb4.swrcb.ca.gov)  
>>> "Eddie Arslanian" <[EARslanian@environcorp.com](mailto:EARslanian@environcorp.com)> 09/07/04 09:05 AM >>>  
Gentlemen,

Could you please provide us with a status update on this?

Thank you.

Eddie Arslanian, P.E.  
ENVIRON International Corporation  
707 Wilshire Boulevard, Suite 4950  
Los Angeles, California 90017  
Tel: 213.943.6326  
Fax: 213.943.6301

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# Exhibit M

From: Eddie Arslanian

Sent: Wed 10/6/2004 1:38 PM

To: 'Ju-Tseng Liu'

Cc: 'David Young'; George Linkletter; Bitu Tabatabai; Joan C. Donnellan (E-mail)'

Subject: RE: Valley-Alhambra: NFA Form

Attachments:

[View As Web Page](#)

Dear JT,

Per our discussion this morning, based on ENVIRON's research, the site is located outside the boundaries of the San Gabriel Valley US EPA Superfund Area.

With regard to the deed-restriction issue that you raised, we at ENVIRON do not recall having such a discussion with the Regional Board. Since this is a legal issue, I have notified Ms. Joan Donnellan, who is the outside counsel for Leggett & Platt. She will contact you to discuss the issue.

Thank you.

-----Original Message-----

From: Ju-Tseng Liu [<mailto:JLIU@rb4.swrcb.ca.gov>]  
Sent: Friday, October 01, 2004 5:21 PM  
To: Eddie Arslanian  
Cc: David Young  
Subject: RE: Valley-Alhambra: NFA Form

**\*\* Reply Requested When Convenient \*\***

Hi Eddie:

I have completed my review of the closure packet and discuss the closure with the Remediation Section chief, Dr. Arthur Heath. Dr. Heath has asked us to check to see if this site is located within the San Gabriel Valley US EPA Superfund area. Please advise. Thanks. JT

J.T. Liu  
Senior Water Resources Control Engineer  
Los Angeles Regional Water Quality Control Board  
Site Cleanup Unit II

(213) 576-6667 (tel)  
(213) 576-6717 (fax)  
E-Mail: [Jliu@rb4.swrcb.ca.gov](mailto:Jliu@rb4.swrcb.ca.gov)

>>> "Eddie Arslanian" <[EARslanian@environcorp.com](mailto:EARslanian@environcorp.com)> 10/01/04 03:32PM >>>  
Hi guys, are we getting close on this?

-----Original Message-----

From: Ju-Tseng Liu [<mailto:jliu@rb4.swrcb.ca.gov>]  
Sent: Wednesday, September 08, 2004 10:53 AM  
To: Eddie Arslanian  
Cc: David Young  
Subject: Re: Valley-Alhambra: NFA Form

**\*\* Reply Requested When Convenient \*\***

Hi Eddie:

I am away from my office today and will talk with Dave Young tomorrow. Thanks. JT

J.T. Liu  
Senior Water Resources Control Engineer  
Los Angeles Regional Water Quality Control Board  
Site Cleanup Unit II

(213) 576-6667 (tel)  
(213) 576-6717 (fax)  
E-Mail: Jliu@rb4.swrcb.ca.gov  
>>> "Eddie Arslanian" <EArslanian@environcorp.com> 09/07/04 09:05 AM >>>  
Gentlemen,

Could you please provide us with a status update on this?

Thank you.

Eddie Arslanian, P.E.  
ENVIRON International Corporation  
707 Wilshire Boulevard, Suite 4950  
Los Angeles, California 90017  
Tel: 213.943.6326  
Fax: 213.943.6301

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# Exhibit N

# ENVIRON

March 1, 2004

Mr. J.T. Liu, P.E.  
Mr. David Young  
California Regional Water Quality Control Board  
Los Angeles Region  
320 West Fourth Street, Suite 200  
Los Angeles, California 90013

Re: Remediation Equipment Removal  
4900 East Valley Boulevard, Valley-Alhambra Property  
Los Angeles, California (SLIC No. 967)

Dear Messrs. Liu and Young:

ENVIRON International Corporation (ENVIRON) requests authorization from the California Regional Water Quality Control Board – Los Angeles Region (LARWQCB) to remove the remediation equipment from the property located at 4900 Valley Boulevard, Los Angeles, California (Site).

As agreed with the LARWQCB on November 18, 2003, ENVIRON performed confirmation soil sampling and final ground water sampling activities at the Site in December 2003 and January 2004. Based on the results of the soil and ground water samples, presented in ENVIRON's report dated February 3, 2004 and submitted to the LARWQCB, ENVIRON recommended that the LARWQCB issue a "No Further Action" designation for the Site.

It is ENVIRON's understanding that the LARWQCB has reviewed the results of the soil and ground water samples and is in agreement with ENVIRON's recommendation for "No Further Action" designation for the Site, pending submittal of the "Case Review Form." Therefore, ENVIRON requests authorization from the LARWQCB to remove the remediation equipment from the Site for the following reasons:

1. The current tenant of the Site is eager to remove the remediation equipment, as it has been a nuisance to its operations and taking up considerable space.
2. The responsible party for the Site continues to pay a monthly lease for the remediation equipment that has not been used for over 16 months, due to post-rebound monitoring and confirmation soil sampling activities.

Mr. J.T. Liu, P.E.  
Mr. David Young

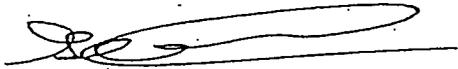
-2-

March 1, 2004

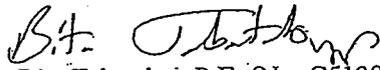
3. ENVIRON would like to transport the remediation equipment to another site to put into beneficial use.

ENVIRON will be submitting the "Case Review Form" to the LARWQCB shortly to finalize the closure procedures. If you have any questions regarding this letter, please call any of the undersigned.

Very truly yours,



George O. Linkletter, Ph.D., R.G. (No. 3728)  
Principal



Bitia Tabatabai, P.E. (No. C51294)  
Manager

P:\V\Valley Alhambra\Regional Board Correspondence\letter re equipment removal 030104.doc

Copy: Mr. Robert Anderson, Leggett & Platt  
Ms. Joan Donnellan, Leland, Parachini, Steinberg, Matzger & Melnick, LLP  
Mr. Gary Herman, S.D. Herman Co., Inc.

# EXHIBIT D

1 NORTHROP SCHLUETER  
A Professional Law Corporation  
2 Linda L. Northrup, Esq. (SBN 102156)  
31365 Oak Crest Drive, Suite 250  
3 Westlake Village, California 91361  
Tel (818) 707-2600  
4 Fax (818) 707-2675

5 Attorneys for Interested Party  
6 VALLEY-ALHAMBRA PROPERTIES,  
a California general partnership

7

8

STATE OF CALIFORNIA

9

STATE WATER RESOURCES CONTROL BOARD

10

11 IN THE MATTER OF THE PETITION OF  
12 LEGGETT AND PLATT, INC., FOR  
13 REVIEW OF WATER CODE SECTION  
14 13267 ORDER DATED JUNE 11, 2008 BY  
THE CALIFORNIA REGIONAL WATER  
QUALITY CONTROL BOARD, LOS  
ANGELES REGION

Petition No.

PARTIAL JOINDER OF VALLEY  
ALHAMBRA PROPERTIES IN PETITION  
FOR REVIEW PURSUANT TO WATER  
CODE SECTION 13320 AND 23 C.C.R.  
§2050 ET SEQ; DECLARATION OF GARY  
J. HERMAN, SR. IN SUPPORT THEREOF

15

16 I. INTRODUCTION

17 Valley-Alhambra Properties ("Valley Alhambra") is a partnership which is the owner of real  
18 property located at 4900 Valley Boulevard, Los Angeles, California ("Site"). Valley Alhambra is a  
19 party interested in the proceedings initiated by the Regional Water Quality Control Board ("Regional  
20 Board") which resulted in the issuance of an order pursuant to Water Code Section 13267 on June  
21 11, 2008 ("June 11 Order") directed to Leggett and Platt, Inc., the successor in interest to Valley  
22 Alhambra's former tenant on the Site. The Valley Alhambra partnership has always consisted of a  
23 group of elderly owners, several of whom have passed away during the lengthy time that this  
24 remediation process has been pending. As set forth in detail in the accompanying Declaration of  
25 Gary Herman, Sr., one of the remaining partners of Valley Alhambra, this process has been ongoing  
26 for well over 10 years and has had a significant negative impact on the use and financing of the  
27 property, has detrimentally impacted its rental value and has precluded any sale of the property for a  
28 full fair market value.

1 During the period since Leggett and Platt ceased its operations on the property, the Site has  
2 been rented to a succession of warehousing tenants. There have been no manufacturing operations at  
3 the property during that period nor occupation by any tenant whose use would have involved any risk  
4 of discharge of contaminants or have contributed in any way to any pre-existing hazardous  
5 conditions on the Site. Declaration of Gary Herman, Sr., paragraph 3.

6 **II. NAME AND ADDRESS OF PARTY IN INTEREST**

7 All correspondence and written communications regarding this matter should be directed to:

8 Gary J. Herman, Sr.  
9 1201 S. Olive Street  
10 Los Angeles, California 90015  
11 Telephone: 213-747-6531, Ext. 114  
12 Facsimile: 213-747-4305  
13 [garysr@sdherman.com](mailto:garysr@sdherman.com)

14 With a copy to:

15 Linda L. Northrup, Esq., Counsel for Valley Alhambra Properties  
16 Northrup Schlueter, A Professional Law Corporation  
17 31365 Oak Crest Drive, Suite 250  
18 Westlake Village, California 91361  
19 Telephone: 818-707-2600  
20 Facsimile: 818-707-2675  
21 [lnorthrup@nsplc.com](mailto:lnorthrup@nsplc.com)

22 **III. SPECIFIC ACTION OF THE REGIONAL WATER BOARD FOR WHICH STATE  
23 WATER BOARD REVIEW IS REQUESTED**

24 Valley Alhambra joins in the request of Leggett and Platt for review of the Section 13267  
25 Order issued by the Regional Water Board on June 11, 2008 ("June 11 Order") to the extent set forth  
26 herein and incorporates by reference the copy of the order attached to the Petition of Leggett and  
27 Platt as Exhibit A.

28 **IV. DATE OF THE REGIONAL WATER BOARD ACTION**

June 11, 2008.

**V. STATEMENT OF REASONS WHY THE REGIONAL WATER BOARD'S ACTION  
WAS INAPPROPRIATE OR IMPROPER**

Valley Alhambra partially joins in the Petition of Leggett and Platt for the reasons set forth  
below:

1  
2 1. Investigation, remediation, and confirmation monitoring activities, as well as the data  
3 derived from these activities, evidence that current conditions of the soil and ground water at the Site  
4 do not pose a substantial risk to human health or the waters of the State;

5 2. Given the extensive work performed at the Site over the last 10 years, characterization  
6 of the Site is sufficient to understand the pre- and post-remedial conditions at the Site;

7 3. The burden, including costs of compliance, imposed by the Order does not bear a  
8 reasonable relationship to the benefits that may be obtained from the reports and investigations  
9 sought by the Order;

10 4. Investigation, remediation, and confirmation monitoring to date justifies closure of  
11 the Site without further investigation.

12 Valley Alhambra joins in the request of Leggett and Platt that the Petition be held in  
13 abeyance for the maximum period and reserves its right to supplement its submission if the Petition  
14 is reactivated.

15 However, to the extent that any portion of the Leggett & Platt Petition is based on an  
16 argument that Leggett and Platt is not a proper party or subject to the jurisdiction of the Water Board  
17 with respect to this Site and orders relating thereto, Valley Alhambra expressly declines to join in  
18 those portions of the Petition and opposes any such relief sought by Leggett and Platt in connection  
19 therewith and reserves the right to supplement its submission with additional authorities and  
20 evidence should any hearing be held thereon.

21 **IV. STATEMENT OF GRIEVANCE OF INTERESTED PARTY**

22 Valley Alhambra is aggrieved by the Order because: (1) Closure should have been issued  
23 when requested by Valley Alhambra on terms which had been approved by the Regional Water  
24 Board in January 2007; and (2) the June 11 Order imposes an excessive and continuing unnecessary  
25 financial burden on Valley Alhambra as the owner of the Site. See Declaration of Gary J. Herman,  
26 Sr. submitted herewith.

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**VII. SPECIFIC ACTION THAT INTERESTED PARTY REQUESTS THE STATE BOARD TO TAKE**

Valley Alhambra requests that the June 11 Order be rescinded in its entirety on the grounds that it is beyond the scope of investigation necessary to characterize the Site for closure. The State Water Board should direct the Regional Water Board to issue a closure letter for the Site.

Valley Alhambra joins Petitioner's request that the State Water Board hold this Petition in abeyance for the maximum time period or until reactivated. Valley Alhambra reserves the right to amend its submission and to request further action if the Petition is reactivated.

To the extent that any portion of the Leggett & Platt Petition requests that the Order be rescinded only as to Leggett and Platt, that Valley Alhambra be joined or that there be a finding that Leggett and Platt is not a proper party subject to the June 11 Order or subject to the jurisdiction of the Water Board or Regional Water Board with respect to this Site and orders relating thereto, Valley Alhambra expressly declines to join in those portions of the Petition and opposes any such relief sought by Leggett and Platt in connection therewith and reserves the right to supplement its submission with additional authorities and evidence should any hearing be held thereon.

**VIII. PARTIAL JOINDER IN POINTS AND AUTHORITIES SUBMITTED BY PETITIONER LEGGETT AND PLATT**

Valley Alhambra joins and incorporates herein by reference the arguments and authorities contained in the Petition of Leggett and Platt in Section VIII., Parts A. (Applicable Standard of Review), C. (Data from Ground Water Sampling Reports ...Show that the Current condition of the Soil and Groundwater Does not Pose a Substantial Risk, etc.), D. (The Regional Water Board Has Not Provided Prima Facie Evidence to Show a Change in Conditions Since it Ordered the Remediation Equipment Removed and Stated the Site was Eligible for Closure, Subject to Restrictive Covenants), and E. (The Cost Associated with the Investigation Required by the Order Has No Reasonable Relationship to the Nominal Threat, etc.).

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**A. FAILURE TO ISSUE CLOSURE WILL RESULT IN SERIOUS FINANCIAL HARDSHIP TO VALLEY ALHAMBRA PROPERTIES DUE TO REDUCTION IN INCOME AND INABILITY TO FINANCE OR SELL ITS PROPERTY FOR FULL AND FAIR MARKET VALUE**

Valley Alhambra is a partnership made up of a group of elderly property owners who have never themselves occupied or operated any business on the Site. Valley Alhambra has already suffered significant financial hardship in connection with the lengthy period that this Site has been subject to investigation and remediation, now for over ten (10) years. During that entire period, Valley Alhambra has been prevented from selling its property for a fair commercial price due to the great uncertainty created for any purchaser due to the open investigation underway by regulatory agencies. This situation has also negatively impacted the rental income which may be generated by the property due to the reluctance of substantial commercial tenants to allow their businesses to operate on a property that is subject to an open environmental investigative proceeding. The details of this past and present hardships are set forth in the Declaration of Gary Herman, a commercial real estate agent and property manager with over fifty years of experience dealing with these types of properties which is submitted herewith. Several of the owners have passed away during the lengthy period of the investigation and remediation process thus far and the remainder are elderly and some rely on the income from this property for full time nursing care. See Declaration of Gary Herman.

Given the significant and thorough investigation and remediation already conducted at the Site and the assessment of risks completed showing that future risks to public health and safety are insignificant, as outlined in detail in the Petition of Leggett and Platt and the Declaration of George Linkletter which is referred to and incorporated herein by reference, there is no justification for the June 11 Order which will substantially increase the financial hardship and uncertainty to the Valley Alhambra partners (who have never themselves occupied or operated businesses on the Site) for what are, at best, negligible additional benefits to the public health and safety.

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**IX. STATEMENT OF SERVICE ON REGIONAL WATER BOARD**

A copy of this partial joinder has been sent to the Regional Water Board.

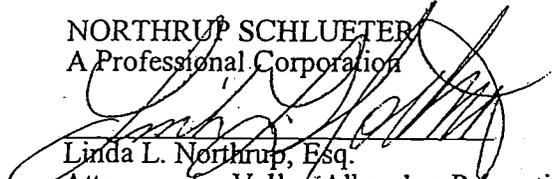
**X. JOINDER IN REQUEST FOR PREPARATION OF RECORD, FOR EVIDENTIARY HEARING AND FOR STAY**

Valley Alhambra joins in the request of Leggett and Platt for the preparation of the record in this matter by the Regional Water Board, for a Stay of the June 11 Order and for an evidentiary hearing on the matters raised in the Petition for the reasons and based on the authority stated therein to the extent joined by Valley Alhambra herein.

**XI. CONCLUSION**

Based on the fact that this Site has been subject to a full and complete investigation and remediation and was approved for closure by the Regional Water Board and that no new information or conditions warrant reopening of the Site and that the great financial burdens imposed by the June 11 Order far outweigh the potential benefits, if any, from the new work required thereunder, Valley Alhambra joins in the requests for relief, including a stay and evidentiary hearing, set forth in the Petition of Leggett and Platt, Inc. and incorporates the facts and legal authorities set forth therein to the extent and on the grounds set forth herein.

Dated: July 10, 2008

NORTHROP SCHLUETER  
A Professional Corporation  
  
Linda L. Northrup, Esq.  
Attorneys for Valley Alhambra Properties







# EXHIBIT E

**PARKER MILLIKEN**

PARKER, MILLIKEN, CLARK, O'HARA, SAMUELIAN  
A PROFESSIONAL CORPORATION

JOAN C. DONNELLAN

Direct Dial: (213) 683-6638  
E-mail: JDONNELLAN@PMCOS.COM

July 10, 2008

**Via U.S. Mail & Facsimile [(213) 576-6640]**

Attn: David Young  
California Regional Water Quality Control Board  
320 West Fourth Street, Suite 200  
Los Angeles, California 90013

Re: Request For Reconsideration re Section 13267 Order  
4900 Valley Alhambra Blvd Site, (SLIC No 0967, Site ID 204DJ00)

Dear Mr. Young:

On June 11, 2008, the California Regional Water Quality Control Board, Los Angeles Region ("Regional Water Board") issued a Section 13267 Order ("Order") to Leggett & Platt Incorporated ("Leggett & Platt") relating to above-referenced site. In response to the Order, Leggett & Platt has filed a Petition with the State Water Resources Control Board pursuant to Water Code Section 13320 for review of the Order. A copy of the Petition is transmitted herewith.

Leggett & Platt has filed the enclosed Petition within 30 days of the issuance of the Order on the advice of counsel in order to preserve its right to administrative review. However, Leggett & Platt desires to continue to negotiate with the Regional Water Board in good faith in relation to the above-referenced site and the Order. Thus, Leggett & Platt has requested that its Petition to the State Water Resources Control Board be held in abeyance pending further good faith discussions between Leggett & Platt, the owner of the above-referenced site (Valley Alhambra), Environ, and the Regional Water Board.

As set forth more fully in the concurrently submitted request for reconsideration from George O. Linkletter of Environ, as well as the Petition and supporting Declaration enclosed herewith, Leggett & Platt and Environ have concluded that the Order does not accurately characterize the site history. Further, Leggett & Platt and Environ contend that the Order requests additional investigation that is not necessary. Investigation, assessment, and remediation activities conducted to date, and the data derived as a result thereof, do not support the need for further investigation. Indeed, the Regional Water Board was prepared to issue closure for the site until, most recently, the Regional Water Board changed its position without explanation or reference to any new facts or changed circumstances. Moreover, the broad scope of the Order would result in unnecessary and excessive expenditures that have no reasonable relationship to current conditions at the above-reference site.

4009-700 (330437)

ATTORNEYS AT LAW  
THIRTIETH FLOOR  
555 SO. FLOWER STREET - LOS ANGELES, CA 90071-2440  
(213) 683-6500 - FAX (213) 683-6669  
WWW.PMCOS.COM

PARKER MILLIKEN

ATTORNEYS AT LAW

David Young  
July 10, 2008  
Page 2

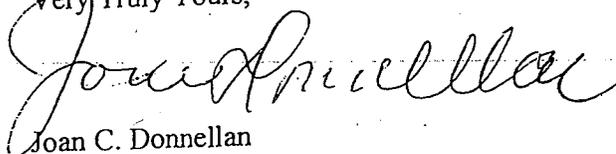
Additionally, as is also explained more fully in the enclosed Petition, the Regional Water Board has exceeded its authority in directing the Order to only Leggett & Platt. As reflected in the Regional Water Board's own files, Leggett & Platt has acted as the administrator of settlement funds used to fund the remediation of the above-referenced site pursuant to a settlement agreement between Valley Alhambra, Dresher, Inc., and Leggett & Platt. Notably, however, Leggett & Platt is not the owner of the property, there has been no finding of liability against Leggett & Platt for contamination at the site, and Leggett & Platt has not admitted any liability in entering into the settlement agreement.

Leggett & Platt does not object to being named as a recipient of the Order so long as the Order is amended to reflect the fact that Leggett & Platt's involvement is specifically limited to its role as the administrator of the settlement fund. Leggett and Platt, however, reserves the right to contest its involvement with the above-referenced site in any capacity other than as administrator of the settlement fund in any past, present, or future orders or directives from the Regional Water Board.

For these reasons, which are more fully described in the accompanying Petition and the concurrently filed request by George O. Linkletter of Environ, Leggett & Platt requests reconsideration of the Regional Water Board's June 11, 2008 Section 13267 Order.

Environ, Valley Alhambra, and my client, Leggett & Platt, look forward to an opportunity to discuss these matters with you and working with you towards reaching resolution of these issues.

Very Truly Yours,



Joan C. Donnellan  
PARKER, MILLIKEN, CLARK,  
O'HARA & SAMUELIAN

cc: Ms. Linda Northrup (via facsimile)  
Mr. Gordon Billehimer (via facsimile)  
Mr. Eddie Arslanian (via facsimile)  
Mr. George Linkletter (via facsimile)  
Ms. Sue Hahn (via hand delivery)

# ENVIRON

July 10, 2008

Via Hand Delivery & Facsimile

Mr. David Young  
Regional Water Quality Control Board  
320 West Fourth St., Suite 200  
Los Angeles, CA 90013

Re: Letter of Reconsideration of Order Pursuant to Water Code Section 132367  
SLIC No. 0967, Site ID 204DJ00

Dear Mr. Young;

This letter is intended to a request for consideration of the "Requirements" set forth in the June 11, 2008 Letter issued pursuant to Water Code Section 13267 relating to the above referenced Site.

Counsel for Leggett & Platt Incorporated has filed a Petition with the State Water Board which incorporates my Declaration and Valley Alhambra, the owner of 4900 Valley Boulevard, Los Angeles, California has filed a partial joinder asking, in part, that the Petition be held in abeyance while the Regional Water Quality Control Board reconsiders its Order.

We believe that the Order issued on June 11, 2008 does not accurately characterize the site history and requests additional investigation which is not necessary. As stated in my declaration:

Investigation, assessment, and remediation activities conducted to date, and the data derived as a result thereof, do not support the need for further investigation for the following reasons:

- The Site is located on shallow alluvial deposits, which lie above a non-waterbearing formation. Further, borings and wells installed at the Site confirm that the water-bearing strata at the Site are locally non-contiguous and that there is relatively little water present. In light of these data, contamination detected in shallow ground water beneath the Site does not pose a threat to aquifers that may be present down valley to the west of the Site, and there is no underlying aquifer.
- There are no public supply or privately owned wells within a one-mile radius of the Site.
- Ground water testing between 2001 and 2003 demonstrated that tetrachloroethylene (PCE) levels in the ground water beneath the Site were reduced by orders of magnitude (e.g., from a peak of 4,800 micrograms per liter ( $\mu\text{g/l}$ ) to 26  $\mu\text{g/l}$  at MW2, which is located immediately adjacent to the source area at the Site) as a result of Regional Water Board approved remediation at the Site.
- Investigations relating to historic operations at the Site are inconclusive regarding the cause of the PCE contamination at the Site, but clearly defined the source area. Given the results of the assessment, investigation, and remediation at the Site, it appears that source contamination at the Site has been sufficiently

remediated and remaining materials do not pose a substantial risk to human health or the environment.

- Data collected from monitoring wells and soil borings along the western property line of the Site (as well as other data points located downgradient from the source area), when compared to substantially higher contamination levels in the source area on the Site and within the context of the hydrostratigraphy at the Site, indicate only limited migration of contaminants away from the source area. (This is referred to in Exhibit A to this letter and the Del Mar Analytical Report Attached to the Declaration.) The analytical results from the deepest samples from soil borings along the western property boundary were judged reflective of ground water conditions and demonstrated only low or non-detectable concentrations of contaminants in that area prior to the startup of the remediation system.
- The radius of influence of the remediation system that operated at the Site, which include an extraction well immediately adjacent to the Site's western property line, indicate that the remedial process also addressed adjacent contamination which may have migrated to the downgradient property.
- ENVIRON prepared a "Risk Assessment of Potential Migration of Volatile Organic Compounds to Indoor Air," dated November 28, 2005, which concluded that the "cumulative cancer risks are no higher than  $1 \times 10^{-5}$  (mostly attributed to PCE) and recommended that the Regional Water Board provide a "No Further Action" designation for "unrestricted use for the site." In its April 17, 2006 memorandum addressed to the Regional Water Board, the Office of Environmental Health Hazard Assessment (OEHHA) stated that it agreed with ENVIRON's conclusions regarding the risk assessment.
- It has been our understanding that, with the possible exception of requiring some additional soil gas work, the Regional Water Board had previously determined that the Site is suitable for closure. To my knowledge, the Regional Water Board has no new information or data to suggest a change from the empirical results that the Regional Board relied on to authorize the removal of the remediation equipment in preparation to formally close the Site, and thus to justify the demand for additional investigation of VOC's at the Site.
- Remaining contamination at and beneath the Site should dissipate without further active remediation and there is no evidence to suggest that it will pose a significant risk to human health or the environment.

We have advised both Valley Alhambra and Leggett & Platt that the cost of additional investigation would require the development of a new scope of work for off-site investigation, installation of ground water wells, monitoring costs, additional reporting and related work could easily exceed \$250,000, as referenced in my July 10, 2008 declaration. To date, ENVIRON has spent approximately \$913,000 in the site characterization, remediation, and follow up consultation and reports to secure a closure. This does not take into consideration the costs incurred by RMT on behalf of Dresher Inc. or CLT Environmental on behalf of Valley Alhambra. To date, I estimate, based on our records and the information provided in connection with the RMT investigation and remediation and the CLT investigation, that over one million dollars has been spent to characterize and remediate the Site.

Mr. David Young

- 3 -

July 10, 2008

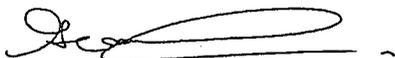
As set forth in my July 10, 2008 declaration, the information regarding the use history of the Site and data from investigations by other consultants, ENVIRON's investigations, the ground water sampling data submitted to the Regional Water Board after the completion of the remediation at the Site, and the results of ENVIRON's human health risk assessment strongly suggest that there is a low probability of significant off-site contamination migrating from the Site that would present an unacceptable risk to human health.

Given the extensive work performed at the Site over the last 10 years, characterization of the Site is sufficient to understand the pre- and post-remedial conditions at the Site.

The Regional Water Board's June 11, 2008 Order to commence a new investigation would result in excessive costs that will not yield corresponding benefits to public health and safety, especially given that the Regional Water Board's Order does not clearly define the objectives of the additional testing.

We are prepared to provide you with additional information or meet with the Board to discuss our position including providing any information or analysis from our existing records or Regional Board records to obtain closure.

Very truly yours,



George O. Linkletter, PhD  
Principal and Senior Vice President

GOL:js

Q:\A\Alhambra\Correspondence\Letter of Reconsideration 071008\_final.doc

cc: Linda Northrup, Northrup Schlueter  
Gary Herman, S. D. Herman Co., Inc.  
Eddie Arslanian, ENVIRON  
Su Han, RWQCB - LA Region  
Joan Donnellan, Parker Milliken Clark O'Hara & Samuelian  
Gordon Billheimer, Leggett & Platt

# EXHIBIT F



Linda S. Adams  
Secretary for  
Environmental Protection

# State Water Resources Control Board

## Office of Chief Counsel

1001 I Street, 22<sup>nd</sup> Floor, Sacramento, California 95814  
P.O. Box 100, Sacramento, California 95812-0100  
(916) 341-5161 ♦ FAX (916) 341-5199 ♦ <http://www.waterboards.ca.gov>



Arnold Schwarzenegger  
Governor

July 14, 2008

FILE

Linda L. Northrup, Esq.  
Northrup Schlueter  
31365 Oak Crest Drive, Suite 250  
Westlake Village, CA 91361  
lnorthrup@nsplc.com

Dear Ms. Northrup:

PETITION OF VALLEY-ALHAMBRA PROPERTIES (WATER CODE SECTION 13267 LETTER DATED JUNE 11, 2008, REQUIRING SUBMITTAL OF A WORK PLAN FOR 4900 VALLEY BOULEVARD, LOS ANGELES, LOS ANGELES COUNTY), LOS ANGELES WATER BOARD: ACKNOWLEDGMENT OF PETITION RECEIVED AND APPROVAL OF REQUEST TO BE HELD IN ABEYANCE  
**SWRCB/OCC FILE A-1936(a)**

This will acknowledge receipt of the above petition on July 10, 2008. You have asked that the State Water Resources Control Board (State Water Board) hold the matter in abeyance for an unspecified period of time. We are happy to do so in hopes that the matter may be worked out between you and the Regional Water Quality Control Board (Regional Water Board). We will hold the matter in abeyance for two years from the date the petition was filed. If, by that time, no resolution of the matter has taken place or the matter has not become the subject of an active dispute, you may either request that the abeyance period be extend for another two-year period, or the petition will be dismissed.

If you have any questions, please call me at (916) 341-5175.

**IN ALL FUTURE CORRESPONDENCE, PLEASE REFER TO  
SWRCB/OCC FILE A-1936(a)**

Sincerely,

Elizabeth Miller Jennings  
Staff Counsel IV

cc: See next page

*California Environmental Protection Agency*

Linda L. Northrup, Esq.

- 2 -

July 14, 2008

cc. Mr. Gary J. Herman, Sr.  
1201 S. Olive Street  
Los Angeles, CA 90015  
garysr@sdherman.com

Joan C. Donnellan, Esq.  
Parker, Milliken, Clark,  
O'Hara & Samuelian  
555 S. Flower Street, 30<sup>th</sup> Floor  
Los Angeles, CA 90071-2440  
jdonnellan@pmcos.com

Mr. Robert Anderson  
Leggett & Platt, Incorporated  
Number 1 Leggett Road  
P.O. Box 757  
Carthage, MO 64836-0757

Ms. Tracy Egoscue [via email only]  
Executive Officer  
Los Angeles Regional Water Quality  
Control Board  
320 West 4th Street, Suite 200  
Los Angeles, CA 90013

Mr. David Bacharowski [via email only]  
Assistant Executive Officer  
Los Angeles Regional Water Quality  
Control Board  
320 West 4th Street, Suite 200  
Los Angeles, CA 90013

Ms. Deborah Smith [via email only]  
Assistant Executive Officer  
Los Angeles Regional Water Quality  
Control Board  
320 West 4th Street, Suite 200  
Los Angeles, CA 90013

Mr. David Young [via email only]  
Engineering Geologist  
Los Angeles Regional Water Quality  
Control Board  
320 West 4th Street, Suite 200  
Los Angeles, CA 90013

Michael J. Levy, Esq. [via email only]  
Office of Chief Counsel  
State Water Resources Control Board  
1001 I Street, 22<sup>nd</sup> Floor [95814]  
P.O. Box 100  
Sacramento, CA 95812-0100

Jennifer L. Fordyce, Esq. [via email only]  
Office of Chief Counsel  
State Water Resources Control Board  
1001 I Street, 22<sup>nd</sup> Floor [95814]  
P.O. Box 100  
Sacramento, CA 95812-0100

Jeffery M. Ogata, Esq. [via email only]  
Office of Chief Counsel  
State Water Resources Control Board  
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Sacramento, CA 95812-0100

Elizabeth Miller Jennings, Esq. [via email only]  
Office of Chief Counsel  
State Water Resources Control Board  
1001 I Street, 22<sup>nd</sup> Floor [95814]  
P.O. Box 100  
Sacramento, CA 95812-0100



Linda S. Adams  
Secretary for  
Environmental Protection

# State Water Resources Control Board

## Office of Chief Counsel

1001 I Street, 22<sup>nd</sup> Floor, Sacramento, California 95814  
P.O. Box 100, Sacramento, California 95812-0100  
(916) 341-5161 ♦ FAX (916) 341-5199 ♦ <http://www.waterboards.ca.gov>



Arnold Schwarzenegger  
Governor

July 14, 2008

**FILL**

Joan C. Donnellan, Esq.  
Parker, Milliken, Clark, O'Hara & Samuelian  
555 S. Flower Street, 30<sup>th</sup> Floor  
Los Angeles, CA 90071-2440  
[jdonnellan@pmcos.com](mailto:jdonnellan@pmcos.com)

Dear Ms. Donnellan:

PETITION OF LEGGETT & PLANT, INCORPORATED (WATER CODE SECTION 13267  
LETTER DATED JUNE 11, 2008, REQUIRING SUBMITTAL OF A WORK PLAN FOR 4900  
VALLEY BOULEVARD, LOS ANGELES, LOS ANGELES COUNTY), LOS ANGELES WATER  
BOARD: ACKNOWLEDGMENT OF PETITION RECEIVED AND APPROVAL OF REQUEST  
TO BE HELD IN ABÉYANCE  
SWRCB/OCC FILE A-1936

This will acknowledge receipt of the above petition on July 10, 2008. You have asked that the State Water Resources Control Board (State Water Board) hold the matter in abeyance for an unspecified period of time. We are happy to do so in hopes that the matter may be worked out between you and the Regional Water Quality Control Board (Regional Water Board). We will hold the matter in abeyance for two years from the date the petition was filed. If, by that time, no resolution of the matter has taken place or the matter has not become the subject of an active dispute, you may either request that the abeyance period be extend for another two-year period, or the petition will be dismissed.

If you have any questions, please call me at (916) 341-5175.

**IN ALL FUTURE CORRESPONDENCE, PLEASE REFER TO  
SWRCB/OCC FILE A-1936**

Sincerely,

  
Elizabeth Miller Jennings  
Staff Counsel IV

cc: See next page

*California Environmental Protection Agency*



Joan C. Donnellan, Esq.

- 2 -

July 14, 2008

cc: Mr. Robert Anderson  
Leggett & Platt, Incorporated  
Number 1 Leggett Road  
P.O. Box 757  
Carthage, MO 64836-0757

Linda L. Northrup, Esq.  
Northrup Schlueter  
31365 Oak Crest Drive, Suite 250  
Westlake Village, CA 91361  
lnorthrup@nsplc.com

Mr. Gary J. Herman, Sr.  
1201 S. Olive Street  
Los Angeles, CA 90015  
garysr@sdherman.com

Ms. Tracy Egoscue [via email only]  
Executive Officer  
Los Angeles Regional Water Quality  
Control Board  
320 West 4th Street, Suite 200  
Los Angeles, CA 90013

Mr. David Bacharowski [via email only]  
Assistant Executive Officer  
Los Angeles Regional Water Quality  
Control Board  
320 West 4th Street, Suite 200  
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Ms. Deborah Smith [via email only]  
Assistant Executive Officer  
Los Angeles Regional Water Quality  
Control Board  
320 West 4th Street, Suite 200  
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Mr. David Young [via email only]  
Engineering Geologist  
Los Angeles Regional Water Quality  
Control Board  
320 West 4th Street, Suite 200  
Los Angeles, CA 90013

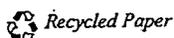
Michael J. Levy, Esq. [via email only]  
Office of Chief Counsel  
State Water Resources Control Board  
1001 I Street, 22<sup>nd</sup> Floor [95814]  
P.O. Box 100  
Sacramento, CA 95812-0100

Jennifer L. Fordyce, Esq. [via email only]  
Office of Chief Counsel  
State Water Resources Control Board  
1001 I Street, 22<sup>nd</sup> Floor [95814]  
P.O. Box 100  
Sacramento, CA 95812-0100

Jeffery M. Ogata, Esq. [via email only]  
Office of Chief Counsel  
State Water Resources Control Board  
1001 I Street, 22<sup>nd</sup> Floor [95814]  
P.O. Box 100  
Sacramento, CA 95812-0100

Elizabeth Miller Jennings, Esq. [via email only]  
Office of Chief Counsel  
State Water Resources Control Board  
1001 I Street, 22<sup>nd</sup> Floor [95814]  
P.O. Box 100  
Sacramento, CA 95812-0100

*California Environmental Protection Agency*



# EXHIBIT G

# PARKER MILLIKEN

PARKER, MILLIKEN, CLARK, O'HARA, SAMUELIAN  
A PROFESSIONAL CORPORATION

JOAN C. DONNELLAN

Direct Dial: (213) 683-6638  
E-mail: JDONNELLAN@PMCOS.COM

November 17, 2008

## VIA HAND DELIVERY

Attn: David Bacharowski  
CALIFORNIA REGIONAL WATER  
QUALITY CONTROL BOARD  
320 West Fourth Street, Suite 200  
Los Angeles, California 90013

Re: Request For Reconsideration re: Section 13267 Order  
4900 Valley Alhambra Blvd Site (SLIC No 0967, Site ID 204DJ00)

Dear Mr. Bacharowski:

On June 11, 2008, the California Regional Water Quality Control Board, Los Angeles Region ("Regional Water Board") issued a Section 13267 Order ("Order") relating to above-referenced site. In response to the Order, Leggett & Platt Incorporated ("Leggett & Platt") filed a Petition with the State Water Resources Control Board pursuant to Water Code Section 13320 for review of the Order as well as a Request for Reconsideration concurrently filed with the Regional Water Board.

The State Water Resources Control Board issued an Order holding the Petition in Abeyance pending negotiations with the Regional Water Board. On October 14, 2008, Leggett & Platt, represented by Parker Milliken; Valley Alhambra Properties, represented by Linda Northrup; and the parties' consultant ENVIRON, represented by Dr. George Linkletter and Eddy Arslanian meet with you, Su Han, David Young, and Arthur Heath to discuss the Declaration of Dr. Linkletter in support of the Petition and the Request for Reconsideration.

After an extensive discussion, you agreed to approve a proposal for a soil gas investigation of the site located at 4900 Valley Boulevard ("On-Site Investigation") and an offsite groundwater investigation on the adjacent property ("Off-Site Investigation") now owned by Mirror Image, Inc. ("Mirror Image, Inc. Site").

4009-700 (337830)

ATTORNEYS AT LAW  
THIRTIETH FLOOR  
555 SO. FLOWER STREET · LOS ANGELES, CA 90071-2440  
(213) 683-6500 · FAX (213) 683-6669  
WWW.PMCOS.COM

**PARKER MILLIKEN**

ATTORNEYS AT LAW

Mr. David Bacharowski  
California Regional Water Quality Control Board  
November 17, 2008  
Page 2

Submitted with this letter is the proposal for both an On-site Investigation and Off-site Investigation prepared by Environ in response to the October 14, 2008 meeting. ("ENVIRON Proposal").

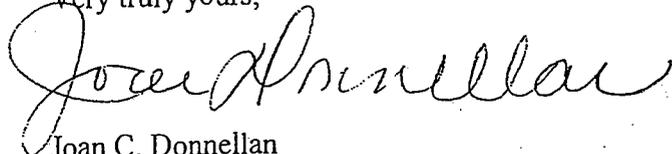
Given the extraordinary delays acknowledged by the Regional Water Board, this letter confirms that the Regional Water Board agreed to give priority to the approval of the ENVIRON Proposal, the evaluation of the results of the investigation set forth in the ENVIRON Proposal and issuance of a No Further Action designation for the Site. We also understand that the Regional Water Board is willing to issue a No Further Action designation as to the soils issues separately if evidence presented supports such issuance.

Valley Alhambra will coordinate with ENVIRON to seek access to the Mirror Image Site to conduct the Offsite Investigation consistent with the ENVIRON Proposal. In the event that Mirror Image, Inc. refuses sufficient access to conduct the Offsite Investigation, the Regional Water Board agreed to take immediate legal or administrative action against Mirror Image, Inc. ordering Mirror Image, Inc. to conduct or cooperate with ENVIRON to conduct the Offsite Investigation.

The ENVIRON Proposal, any documentation, reports or information submitted in connection with the ENVIRON Proposal and any investigation or remediation activities do not constitute an admission of liability by Leggett & Platt or Valley Alhambra or a waiver of Leggett & Platt's or Valley Alhambra's objections to the Order as set forth in Leggett & Platt's Petition or Valley Alhambra's joinder to the Petition, the Request for Reconsideration, or Parker Milliken's letter submitted to the Regional Water Board on July 10, 2008. Further, neither this letter nor the submission of the enclosed ENVIRON Proposal should be interpreted as a waiver of Leggett & Platt's or Valley Alhambra's right to reinstate the Petition, which is currently held in abeyance by the State Water Resources Control Board.

ENVIRON is prepared to commence testing within two weeks of approval the ENVIRON proposal. We request your response no later than November 25, 2008.

Very truly yours,



Joan C. Donnellan  
PARKER, MILLIKEN, CLARK,  
O'HARA & SAMUELIAN

JCD/da  
Enclosures

**PARKER MILLIKEN**

ATTORNEYS AT LAW

Mr. David Bacharowski  
California Regional Water Quality Control Board  
November 17, 2008  
Page 3

cc: Ms. Jennifer Fordyce – Via Federal Express  
Mr. Art Heath- Via Hand Delivery  
Mr. David Young – Via Hand Delivery  
Ms. Su Han – Via Hand Delivery  
Ms. Linda Northrup – Via Federal Express  
Mr. Gordon Billheimer – Via U.S. Mail  
Mr. Eddie Arslanian – Via U.S. Mail w/o Enclosures  
Mr. George Linkletter – Via U.S. Mail w/o Enclosures

# EXHIBIT H

1 Joan C. Donnellan SBN 79462  
Gary A. Meyer SBN 94144  
2 Pedram F. Mazgani SBN 204808  
PARKER, MILLIKEN, CLARK, O'HARA & SAMUELIAN  
3 A Professional Corporation  
555 S. Flower St., 30<sup>th</sup> Floor  
4 Los Angeles, California 90071-2440  
Telephone: (213) 683-6500  
5 Facsimile: (213) 683-6669

6 Attorneys for Petitioner  
Leggett & Platt, Incorporated  
7

8 STATE OF CALIFORNIA  
9 STATE WATER RESOURCES CONTROL BOARD

10  
11 IN THE MATTER OF THE PETITION  
OF LEGGETT & PLATT,  
12 INCORPORATED, FOR REVIEW OF  
WATER CODE SECTION 13267  
13 ORDER DATED JUNE 11, 2008, BY  
THE CALIFORNIA REGIONAL  
14 WATER QUALITY CONTROL BOARD,  
LOS ANGELES REGION,  
15

Petition No. \_\_\_\_\_  
DECLARATION OF GEORGE LINKLETTER IN  
SUPPORT OF PETITION FOR REVIEW  
PURSUANT TO WATER CODE SECTION  
13320 AND 23 C.C.R. SECTION §2050 ET SEQ.  
[Request To Be Held In Abeyance Under 23  
C.C.R. §2050.5(d)]

16  
17 I, GEORGE O. LINKLETTER, declare as follows:

18 1. I declare under penalty of perjury that I am a Principal and Senior Vice President  
19 of ENVIRON and have served as the Principal-in-Charge of investigation, evaluation and  
20 remediation of the PCE/TCE contamination at 4900 East Valley Boulevard, Los Angeles  
21 California ("Site").

22 2. I have both A.B. and A.M. degrees in Geology from Dartmouth College, and a  
23 Ph.D. in Geology from the University of Washington. I am a Professional Geologist in the State  
24 of California with over 35 years of experience, including extensive experience in investigating  
25 suspected contamination, characterizing contaminated sites and developing and successfully  
26 implementing remedial programs. A copy of my curriculum vitae is attached hereto as Exhibit A.

27 3. My experience extends to all types of industrial contaminants in soil and ground  
28 water, including PCE/TCE, in both rural and urban settings.

PARKER MILLIKEN  
CLARK O'HARA &  
SAMUELIAN, A  
PROFESSIONAL  
CORPORATION

1           4.       On July 10, 2008, Leggett & Platt Incorporated ("Leggett & Platt") filed a Petition  
2 For Review Pursuant To Water Code Section 13320 ("July 10, 2008 Petition") relating to a June  
3 11, 2008 Order of the Los Angeles Regional Water Quality Control Board ("Regional Water  
4 Board"). I submitted a declaration to the State Water Resources Control Board in support of the  
5 July 10, 2008 Petition ("July 10, 2008 Declaration"). Concurrently with the filing of the July 10,  
6 2008 Petition, Leggett & Platt also submitted a request for reconsideration to the Regional Water  
7 Board in relation to its June 11, 2008 Order.

8           5.       A copy of my July 10, 2008 Declaration is attached to the concurrently filed  
9 Petition as **Exhibit C** thereto. As of the date of this Declaration, I continue to believe that the  
10 facts, conclusions, and opinions expressed in my July 10, 2008 Declaration are true and accurate.

11           6.       On October 14, 2008, representatives of Leggett & Platt, Valley Alhambra (the  
12 Site owner), Eddie Arslanian (my colleague at ENVIRON) and I met with Regional Water Board  
13 representatives to discuss the June 11, 2008 Order, the July 10, 2008 Petition, the concurrently  
14 filed request for reconsideration, and the issues raised in my July 10, 2008 Declaration. Among  
15 other items, during the October 14, 2008 meeting I discussed with the Regional Water Board, in  
16 detail, the basis for my conclusion in the July 10, 2008 Declaration that further investigation at  
17 the Site is not warranted. At the conclusion of the October 14, 2008 meeting, the Regional Water  
18 Board representatives agreed in concept to a focused scope of work for on-site and off-site  
19 investigation intended to result in site closure. My understanding of the goal of this proposed  
20 scope of work was to confirm the current condition of the property and that no further  
21 investigation is warranted. Thus, at Leggett & Platt and Valley Alhambra's direction, ENVIRON  
22 prepared a Work Plan For Additional Investigations ("Work Plan") that was consistent with the  
23 parties' discussions at the November 17, 2008 meeting with the Regional Water Board.

24           7.       On November 25, 2008, the Regional Water Board issued a Conditional Approval  
25 of Work Plan For Additional Investigation Pursuant to California Water Code Section 13267  
26 Order ("November 25, 2008 Order"). The November 25, 2008 Order contains conditions and  
27 requirements that go above and beyond my understanding and recollection of what was discussed  
28 at the October 14, 2008 meeting with the Regional Water Board. Nevertheless, at Leggett & Platt

1 and Valley Alhambra's direction, ENVIRON will move forward with the implementation of the  
 2 Work Plan in cooperation with the Regional Water Board because the scope of work discussed at  
 3 the October 14, 2008 meeting could serve as a cost effective means to resolve any disagreement  
 4 with the Regional Water Board and obtain site closure. However, Leggett & Platt and Valley  
 5 Alhambra continue to dispute the basis for the Regional Water Board's orders and reserve their  
 6 rights to challenge the Regional Water Board's orders, as appropriate.

7 8. The cost of compliance with the November 25, 2008 Order cannot be projected  
 8 with certainty because, among other items, the November 25, 2008 Order requires periodic  
 9 ground water monitoring for an unknown duration. The minimum estimated cost to comply with  
 10 the requirements of the Regional Water Board's November 25, 2008 Order will likely be in  
 11 excess of \$120,000, as illustrated in the estimate presented in the table below.

Order Requirement	Expenditures and Associated Timeframes
Preparation and Implementation of Work Plan for On-Site Soil Gas Investigation and Vapor Intrusion Analysis	\$40,000
Preparation and Implementation of Off-Site Ground Water Characterization	\$25,000 (minimum)
Site Conceptual Model	\$25,000
Semi-Annual Ground Water Monitoring	\$30,000 (minimum of 2 events)

19 9. It continues to be my opinion, based on the information currently available to me,  
 20 that the information regarding the use history of the Site and data from investigations by other  
 21 consultants, ENVIRON's investigations, the ground water sampling data submitted to the  
 22 Regional Water Board after the completion of the remediation at the Site, and the results of  
 23 ENVIRON's human health risk assessment strongly suggest that there is a low probability of  
 24 significant off-site contamination migrating from the Site which presents a risk to human health.

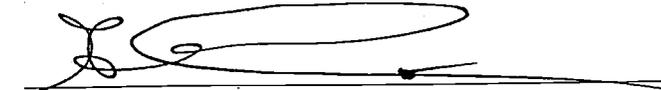
25 10. It is also my opinion that, given the extensive work performed at the Site over the  
 26 last 10 years, characterization of the Site is sufficient to understand the pre- and post-remedial  
 27 conditions at the Site.

28 11. It is my further opinion that the Regional Water Board's November 25, 2008

1 Order would result in excessive costs that will not result in corresponding benefits to public  
2 health and safety.

3 I declare under penalty of perjury, under the laws of the State of California, that the  
4 foregoing is true and correct.

5 Executed this 22<sup>nd</sup> day of December, 2008, at Los Angeles, California.

6   
7  
8 GEORGE O. LINKLETTER, Declarant

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# EXHIBIT I

**PARKER MILLIKEN**

PARKER, MILLIKEN, CLARK, O'HARA, SAMUELIAN  
A PROFESSIONAL CORPORATION

PEDRAM MAZGANI

Direct Dial: (213) 683-6686  
E-mail: PMAZGANI@PMCOS.COM

December 23, 2008

**Via U.S. Mail & Facsimile [(213) 576-6640]**

Attn: David Young  
California Regional Water Quality Control Board  
320 West Fourth Street, Suite 200  
Los Angeles, California 90013

Re: 4900 Valley Alhambra Blvd Site, (SLIC No 0967, Site ID 204DJ00)

Dear Mr. Young:

On December 23, 2008, Leggett & Platt Incorporated filed a Petition with the State Water Resources Control Board pursuant to Water Code Section 13320 for review of the California Regional Water Quality Control Board, Los Angeles Region's Section 13267 Order issued to Leggett & Platt Incorporated on November 25, 2008. Pursuant to Title 23 of the California Code of Regulations, Section 2050.5(a) you are requested to file the administrative record, including available tape recordings and transcripts, if any, with the State Water Resources Control Board within thirty (30) days.

Please contact me if you have any questions.

Very Truly Yours,

  
Pedram Mazgani  
PARKER, MILLIKEN, CLARK,  
O'HARA & SAMUELIAN

cc: Ms. Linda Northrup (via facsimile)  
Mr. Gordon Billehimer (via facsimile)  
Mr. Eddie Arslanian (via facsimile)  
Mr. George Linkletter (via facsimile)  
Ms. Sue Hahn (via hand delivery)

4009-700 (330435)

ATTORNEYS AT LAW  
THIRTIETH FLOOR  
555 SO. FLOWER STREET • LOS ANGELES, CA 90071-2440  
(213) 683-6500 • FAX (213) 683-6669  
WWW.PMCOS.COM

EXHIBIT I

1 Joan C. Donnellan SBN 79462  
Gary A. Meyer SBN 94144  
2 Pedram F. Mazgani SBN 204808  
PARKER, MILLIKEN, CLARK, O'HARA & SAMUELIAN  
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4 Los Angeles, California 90071-2440  
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5 Facsimile: (213) 683-6669  
6 Attorneys for Petitioner  
Leggett & Platt, Incorporated  
7

8 STATE OF CALIFORNIA

9 STATE WATER RESOURCES CONTROL BOARD

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13 ORDER DATED JUNE 11, 2008, BY  
THE CALIFORNIA REGIONAL  
14 WATER QUALITY CONTROL BOARD,  
LOS ANGELES REGION,  
15

Petition No. \_\_\_\_\_

DECLARATION OF GEORGE LINKLETTER IN  
SUPPORT OF PETITION FOR REVIEW  
PURSUANT TO WATER CODE SECTION  
13320 AND 23 C.C.R. SECTION §2050 ET SEQ.  
[Request To Be Held In Abeyance Under 23  
C.C.R. §2050.5(d)]

16  
17 I, GEORGE O. LINKLETTER, declare as follows:

18 1. I declare under penalty of perjury that I am a Principal and Senior Vice President  
19 of ENVIRON and have served as the Principal-in-Charge of investigation, evaluation and  
20 remediation of the PCE/TCE contamination at 4900 East Valley Boulevard, Los Angeles  
21 California ("Site").

22 2. I have both A.B. and A.M. degrees in Geology from Dartmouth College, and a  
23 Ph.D. in Geology from the University of Washington. I am a Professional Geologist in the State  
24 of California with over 35 years of experience, including extensive experience in investigating  
25 suspected contamination, characterizing contaminated sites and developing and successfully  
26 implementing remedial programs. A copy of my curriculum vitae is attached hereto as Exhibit A.

27 3. My experience extends to all types of industrial contaminants in soil and ground  
28 water, including PCE/TCE, in both rural and urban settings.

1           4.       On July 10, 2008, Leggett & Platt Incorporated ("Leggett & Platt") filed a Petition  
2 For Review Pursuant To Water Code Section 13320 ("July 10, 2008 Petition") relating to a June  
3 11, 2008 Order of the Los Angeles Regional Water Quality Control Board ("Regional Water  
4 Board"). I submitted a declaration to the State Water Resources Control Board in support of the  
5 July 10, 2008 Petition ("July 10, 2008 Declaration"). Concurrently with the filing of the July 10,  
6 2008 Petition, Leggett & Platt also submitted a request for reconsideration to the Regional Water  
7 Board in relation to its June 11, 2008 Order.

8           5.       A copy of my July 10, 2008 Declaration is attached to the concurrently filed  
9 Petition as **Exhibit C** thereto. As of the date of this Declaration, I continue to believe that the  
10 facts, conclusions, and opinions expressed in my July 10, 2008 Declaration are true and accurate.

11           6.       On October 14, 2008, representatives of Leggett & Platt, Valley Alhambra (the  
12 Site owner), Eddie Arslanian (my colleague at ENVIRON) and I met with Regional Water Board  
13 representatives to discuss the June 11, 2008 Order, the July 10, 2008 Petition, the concurrently  
14 filed request for reconsideration, and the issues raised in my July 10, 2008 Declaration. Among  
15 other items, during the October 14, 2008 meeting I discussed with the Regional Water Board, in  
16 detail, the basis for my conclusion in the July 10, 2008 Declaration that further investigation at  
17 the Site is not warranted. At the conclusion of the October 14, 2008 meeting, the Regional Water  
18 Board representatives agreed in concept to a focused scope of work for on-site and off-site  
19 investigation intended to result in site closure. My understanding of the goal of this proposed  
20 scope of work was to confirm the current condition of the property and that no further  
21 investigation is warranted. Thus, at Leggett & Platt and Valley Alhambra's direction, ENVIRON  
22 prepared a Work Plan For Additional Investigations ("Work Plan") that was consistent with the  
23 parties' discussions at the November 17, 2008 meeting with the Regional Water Board.

24           7.       On November 25, 2008, the Regional Water Board issued a Conditional Approval  
25 of Work Plan For Additional Investigation Pursuant to California Water Code Section 13267  
26 Order ("November 25, 2008 Order"). The November 25, 2008 Order contains conditions and  
27 requirements that go above and beyond my understanding and recollection of what was discussed  
28 at the October 14, 2008 meeting with the Regional Water Board. Nevertheless, at Leggett & Platt

1 and Valley Alhambra's direction, ENVIRON will move forward with the implementation of the  
2 Work Plan in cooperation with the Regional Water Board because the scope of work discussed at  
3 the October 14, 2008 meeting could serve as a cost effective means to resolve any disagreement  
4 with the Regional Water Board and obtain site closure. However, Leggett & Platt and Valley  
5 Alhambra continue to dispute the basis for the Regional Water Board's orders and reserve their  
6 rights to challenge the Regional Water Board's orders, as appropriate.

7 8. The cost of compliance with the November 25, 2008 Order cannot be projected  
8 with certainty because, among other items, the November 25, 2008 Order requires periodic  
9 ground water monitoring for an unknown duration. The minimum estimated cost to comply with  
10 the requirements of the Regional Water Board's November 25, 2008 Order will likely be in  
11 excess of \$120,000, as illustrated in the estimate presented in the table below.

12 Order Requirement	Expenditures and Associated Timeframes
13 Preparation and 14 Implementation of Work Plan 15 for On-Site Soil Gas Investigation and Vapor Intrusion Analysis	\$40,000
16 Preparation and 17 Implementation of Off-Site Ground Water Characterization	\$25,000 (minimum)
18 Site Conceptual Model	\$25,000
19 Semi-Annual Ground Water Monitoring	\$30,000 (minimum of 2 events)

20 9. It continues to be my opinion, based on the information currently available to me,  
21 that the information regarding the use history of the Site and data from investigations by other  
22 consultants, ENVIRON's investigations, the ground water sampling data submitted to the  
23 Regional Water Board after the completion of the remediation at the Site, and the results of  
24 ENVIRON's human health risk assessment strongly suggest that there is a low probability of  
25 significant off-site contamination migrating from the Site which presents a risk to human health.

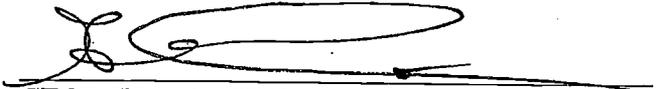
26 10. It is also my opinion that, given the extensive work performed at the Site over the  
27 last 10 years, characterization of the Site is sufficient to understand the pre- and post-remedial  
28 conditions at the Site.

11. It is my further opinion that the Regional Water Board's November 25, 2008

1 Order would result in excessive costs that will not result in corresponding benefits to public  
2 health and safety.

3 I declare under penalty of perjury, under the laws of the State of California, that the  
4 foregoing is true and correct.

5 Executed this 22<sup>nd</sup> day of December, 2008, at Los Angeles, California.

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8 GEORGE O. LINKLETTER, Declarant

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PARKER MILLIKEN  
CLARK OHARA &  
SAMUELIAN, A  
PROFESSIONAL  
CORPORATION

EXHIBIT J



**Northrup Schlueter**  
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31365 Oak Crest Drive, Suite 250  
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December 23, 2008

**Via Overnight Courier**

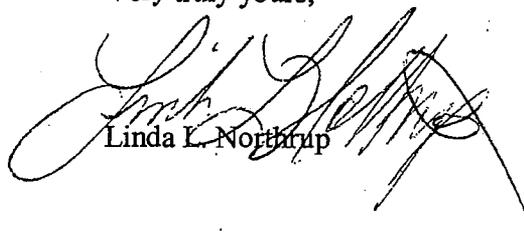
State Water Resources Control Board  
Office of Chief Counsel  
Jeannette L. Bashaw  
1001 I Street 22<sup>nd</sup> Floor  
Sacramento, California

Re: **PETITION OF LEGGETT AND PLATT FOR REVIEW  
PURSUANT TO WATER CODE § 13320 AND 23 C.C.R. §2050 -  
REGIONAL WATER BOARD ORDER OF NOVEMBER 25, 2008**

Dear Ms. Bashaw:

Enclosed please find the Partial Joinder of Valley Alhambra Properties in the above referenced Petition. We would appreciate receiving a conformed copy of the enclosed cover page in the self addressed envelope provided to confirm receipt of this filing with the State Water Board.

Very truly yours,

  
Linda L. Northrup

LLN/  
Enclosures

cc: Joan C. Donnellan, Esq. (by Overnight Courier w/encls.)  
Mr. David Young (by Overnight Courier w/encls.)

1 NORTHRUP SCHLUETER  
A Professional Law Corporation  
2 Linda L. Northrup, Esq. (SBN 102156)  
31365 Oak Crest Drive, Suite 250  
3 Westlake Village, California 91361  
Tel (818) 707-2600  
4 Fax (818) 707-2675

5 Attorneys for Interested Party  
6 VALLEY-ALHAMBRA PROPERTIES,  
a California general partnership

7

8

STATE OF CALIFORNIA

9

STATE WATER RESOURCES CONTROL BOARD

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11 IN THE MATTER OF THE PETITION OF  
LEGGETT AND PLATT, INC., FOR  
12 REVIEW OF WATER CODE SECTION  
13267 ORDER DATED JUNE 11, 2008 BY  
13 THE CALIFORNIA REGIONAL WATER  
QUALITY CONTROL BOARD, LOS  
14 ANGELES REGION

Petition No.

PARTIAL JOINDER OF VALLEY  
ALHAMBRA PROPERTIES IN PETITION  
FOR REVIEW PURSUANT TO WATER  
CODE SECTION 13320 AND 23 C.C.R.  
§2050 ET SEQ  
[Request to Be Held in Abeyance Under 23  
C.C.R. §2050.5(d)]

15

16 **I. INTRODUCTION**

17 Valley-Alhambra Properties ("Valley Alhambra") is a partnership which is the owner of real  
18 property located at 4900 Valley Boulevard, Los Angeles, California ("Site"). Valley Alhambra is a  
19 party interested in the proceedings initiated by the Regional Water Quality Control Board ("Regional  
20 Board") which resulted in the issuance of an order pursuant to Water Code Section 13267 on  
21 November 25, 2008 ("November 25 Order") directed to Leggett and Platt, Inc., the successor in  
22 interest to Valley Alhambra's former tenant on the Site. The Valley Alhambra partnership has  
23 always consisted of a group of elderly owners, several of whom have passed away during the lengthy  
24 time that this remediation process has been pending. As set forth in detail in the Declaration of Gary  
25 Herman, Sr. filed with the Joinder of Valley Alhambra to a previous Petition in this matter (copy of  
26 Joinder and Declaration are attached as Exhibit "A" hereto, one of the remaining partners of Valley  
27 Alhambra, this process has been ongoing for well over 10 years and has had a significant negative  
28 impact on the use and financing of the property, has detrimentally impacted its rental value and has

1 precluded any sale of the property for a full fair market value.

2           During the period since Leggett and Platt ceased its operations on the property, the Site has  
3 been rented to a succession of warehousing tenants. There have been no manufacturing operations at  
4 the property during that period nor occupation by any tenant whose use would have involved any risk  
5 of discharge of contaminants or have contributed in any way to any pre-existing hazardous  
6 conditions on the Site. Declaration of Gary Herman, Sr., paragraph 3.

7 **II. A RELATED PETITION AND PARTIAL JOINDER HAS PREVIOUSLY BEEN**  
8 **SUBMITTED TO THE WATER BOARD IN IS BEING HELD IN ABEYANCE**

9           Prior to issuing the November 25, 2008 Order, which is the subject of this Partial Joinder, on  
10 June 11, 2008, the Regional Water Board issued a Section 13267 Order requiring submitted of a  
11 work plan for additional investigation of soil and ground water in and about the Site ("June 11, 2008  
12 Order").

13           On July 10, 2008 Leggett and Platt filed a Petition for Review of that Order and Valley  
14 Alhambra filed a Partial Joinder in that Petition. Copies of these documents are attached to the  
15 Petition of Leggett & Platt on file herein.

16           Between July and November correspondence and meetings occurred between representatives  
17 of Leggett & Platt and the Regional Water Board which culminated in submission of a Work Plan  
18 for Additional Investigation to the Regional Water Board in or about November 17, 2008 (a true and  
19 correct copy of that work plan is Exhibit "G" to the Petition of Leggett & Platt).

20           On or about November 25, 2008, the Regional Water Board issued a conditional approval of  
21 the Work Plan in the form of the November 25, 2008 Order. Valley Alhambra maintains that some  
22 of the conditions and requirements of the November 25, 2008 Order are inappropriate, improper and  
23 not supported by the record and, to that extent only, hereby joins in the Petition filed by Leggett &  
24 Platt regarding the November 25, 2008 Order and joins Leggett & Platt's request that the Petition  
25 and this Partial Joinder be held in abeyance pursuant to Title 23 of the California Code of  
26 Regulations, Section 2050.5(d) as requested therein. Valley Alhambra reserves the right to  
27 supplement this Partial Joinder with a further statement of its position and the factual and legal basis  
28 therefore if the Petition is reactivated.

1 **III. NAME AND ADDRESS OF PARTY IN INTEREST**

2 Valley Alhambra does not join in and disputes Leggett & Platt's contention that Valley  
3 Alhambra is the real party in interest in this proceeding and to Leggett & Platt's characterization of  
4 its role as "administrator of the settlement fund."

5 All correspondence and written communications regarding this matter should be directed to:

6 Gary J. Herman, Sr.  
7 1201 S. Olive Street  
8 Los Angeles, California 90015  
9 Telephone: 213-747-6531, Ext. 114  
10 Facsimile: 213-747-4305  
11 [garysr@sdherman.com](mailto:garysr@sdherman.com)

12 With a copy to:

13 Linda L. Northrup, Esq., Counsel for Valley Alhambra Properties  
14 Northrup Schlueter, A Professional Law Corporation  
15 31365 Oak Crest Drive, Suite 250  
16 Westlake Village, California 91361  
17 Telephone: 818-707-2600  
18 Facsimile: 818-707-2675  
19 [lnorthrup@nsplc.com](mailto:lnorthrup@nsplc.com)

20 **IV. SPECIFIC ACTION OF THE REGIONAL WATER BOARD FOR WHICH STATE**  
21 **WATER BOARD REVIEW IS REQUESTED**

22 Valley Alhambra joins in the request of Leggett and Platt for review of the November 25,  
23 2008 Order to the extent set forth herein and incorporates by reference the copy of the order attached  
24 to the Petition of Leggett and Platt as Exhibit A.

25 **V. DATE OF THE REGIONAL WATER BOARD ACTION**

26 November 25, 2008.

27 **VI. STATEMENT OF REASONS WHY THE REGIONAL WATER BOARD'S ACTION**  
28 **WAS INAPPROPRIATE OR IMPROPER**

This Partial Joinder and the Petition of Leggett & Platt present factual and legal issues which  
also form the basis of SWRCB/OCC File No. A-1936 which is currently held in abeyance. Valley  
Alhambra incorporates herein the matters set forth in its July 10, 2008 Petition, a copy of which is  
Exhibit "A" hereto.

Valley Alhambra joins in the request of Leggett and Platt that the Petition be held in

1 abeyance for the maximum period and reserves its right to supplement its submission if the Petition  
2 is reactivated.

3           However, to the extent that any portion of the Leggett & Platt Petition is based on an  
4 argument that Leggett and Platt is not a proper party or subject to the jurisdiction of the Water Board  
5 with respect to this Site and orders relating thereto, Valley Alhambra expressly declines to join in  
6 those portions of the Petition and opposes any such relief sought by Leggett and Platt in connection  
7 therewith and reserves the right to supplement its submission with additional authorities and  
8 evidence should any hearing be held thereon.

9  
10 **VII. STATEMENT OF GRIEVANCE OF INTERESTED PARTY**

11           Valley Alhambra is aggrieved by the Order because: (1) Closure should have been issued  
12 when requested by Valley Alhambra on terms which had been approved by the Regional Water  
13 Board in January 2007; and (2) the November 25 Order continues to impose an excessive and  
14 continuing unnecessary financial burden on Valley Alhambra as the owner of the Site. See  
15 Declaration of Gary J. Herman, Sr. (Exhibit "A").

16 **VIII. SPECIFIC ACTION THAT INTERESTED PARTY REQUESTS THE STATE**  
17 **BOARD TO TAKE**

18           Valley Alhambra requests that both the June 11 Order and the November 25 Order be  
19 rescinded in their entirety on the grounds that they are beyond the scope of investigation necessary to  
20 characterize the Site for closure. The State Water Board should direct the Regional Water Board to  
21 issue a closure letter for the Site.

22           Valley Alhambra joins Petitioner's request that the State Water Board hold this Petition in  
23 abeyance for the maximum time period or until reactivated . Valley Alhambra reserves the right to  
24 amend its submission and to request further action if the Petition is reactivated.

25           To the extent that any portion of the Leggett & Platt Petition requests that the Orders be  
26 rescinded only as to Leggett and Platt, that Valley Alhambra be joined or that there be a finding that  
27 Leggett and Platt is not a proper party subject to the June 11 Order or the November 25, 2008 Order  
28 or subject to the jurisdiction of the Water Board or Regional Water Board with respect to this Site

1 and orders relating thereto, Valley Alhambra expressly declines to join in those portions of the  
2 Petition and opposes any such relief sought by Leggett and Platt in connection therewith and reserves  
3 the right to supplement its submission with additional authorities and evidence should any hearing be  
4 held thereon.

5 **IX. PARTIAL JOINDER IN POINTS AND AUTHORITIES SUBMITTED BY**  
6 **PETITIONER LEGGETT AND PLATT**

7  
8 Valley Alhambra joins and incorporates herein by reference the arguments and authorities  
9 contained in the Petition of Leggett and Platt in Section VIII., Parts A. (Applicable Standard of  
10 Review), C. (Data from Ground Water Sampling Reports ...Show that the Current condition of the  
11 Soil and Groundwater Does not Pose a Substantial Risk, etc.), D. (The Regional Water Board Has  
12 Not Provided Prima Facie Evidence to Show a Change in Conditions Since it Ordered the  
13 Remediation Equipment Removed and Stated the Site was Eligible for Closure, Subject to  
14 Restrictive Covenants), and E. (The Cost Associated with the Investigation Required by the Order  
15 Has No Reasonable Relationship to the Nominal Threat, etc.).

16 **A. FAILURE TO ISSUE CLOSURE WILL RESULT IN SERIOUS FINANCIAL**  
17 **HARDSHIP TO VALLEY ALHAMBRA PROPERTIES DUE TO**  
18 **REDUCTION IN INCOME AND INABILITY TO FINANCE OR SELL ITS**  
19 **PROPERTY FOR FULL AND FAIR MARKET VALUE**

20 Valley Alhambra is a partnership made up of a group of elderly property owners who have  
21 never themselves occupied or operated any business on the Site. Valley Alhambra has already  
22 suffered significant financial hardship in connection with the lengthy period that this Site has been  
23 subject to investigation and remediation, now for over ten (10) years. During that entire period,  
24 Valley Alhambra has been prevented from selling its property for a fair commercial price due to the  
25 great uncertainty created for any purchaser due to the open investigation underway by regulatory  
26 agencies. This situation has also negatively impacted the rental income which may be generated by  
27 the property due to the reluctance of substantial commercial tenants to allow their businesses to  
28 operate on a property that is subject to an open environmental investigative proceeding. The details

1 of this past and present hardships are set forth in the Declaration of Gary Herman, a commercial real  
2 estate agent and property manager with over fifty years of experience dealing with these types of  
3 properties which is submitted herewith. Several of the owners have passed away during the lengthy  
4 period of the investigation and remediation process thus far and the remainder are elderly and some  
5 rely on the income from this property for full time nursing care. See Declaration of Gary Herman.  
6

7 Given the significant and thorough investigation and remediation already conducted at the  
8 Site and the assessment of risks completed showing that future risks to public health and safety are  
9 insignificant, as outlined in detail in the Petition of Leggett and Platt and the Declaration of George  
10 Linkletter which is referred to and incorporated herein by reference, there is no justification for the  
11 June 11 Order or for the November 25, Order which will substantially increase the financial hardship  
12 and uncertainty to the Valley Alhambra partners (who have never themselves occupied or operated  
13 businesses on the Site) for what are, at best, negligible additional benefits to the public health and  
14 safety.

15 **X. STATEMENT OF SERVICE ON REGIONAL WATER BOARD**

16 A copy of this partial joinder has been sent to the Regional Water Board.

17 **XI. JOINDER IN REQUEST FOR PREPARATION OF RECORD, FOR EVIDENTIARY**  
18 **HEARING AND FOR STAY**

19 Valley Alhambra joins in the request of Leggett and Platt for the preparation of the record in  
20 this matter by the Regional Water Board, for a Stay of the June 11 Order and the November 25, 2008  
21 Order and for an evidentiary hearing on the matters raised in the Petition for the reasons and based  
22 on the authority stated therein to the extent joined by Valley Alhambra herein.

23 **XII. CONCLUSION**

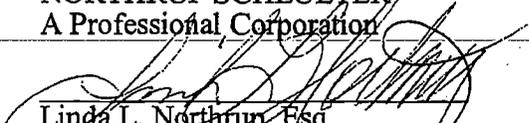
24 Based on the fact that this Site has been subject to a full and complete investigation and  
25 remediation and was approved for closure by the Regional Water Board and that no new information  
26 or conditions warrant reopening of the Site and that the great financial burdens imposed by the June  
27 11 Order and the November 25, 2008 Order far outweigh the potential benefits, if any, from the new  
28 work required thereunder, Valley Alhambra joins in the requests for relief, including a stay and

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evidentiary hearing, set forth in the Petition of Leggett and Platt, Inc. and incorporates the facts and legal authorities set forth therein to the extent and on the grounds set forth herein.

Dated: December 23, 2008

NORTHRUP SCHLUETER  
A Professional Corporation



Linda L. Northrup, Esq.  
Attorneys for Valley Alhambra Properties

# Exhibit A

1 NORTHRUP SCHLUETER  
A Professional Law Corporation  
2 Linda L. Northrup, Esq. (SBN 102156)  
31365 Oak Crest Drive, Suite 250  
3 Westlake Village, California 91361  
Tel (818) 707-2600  
4 Fax (818) 707-2675



5 Attorneys for Interested Party  
6 VALLEY-ALHAMBRA PROPERTIES,  
a California general partnership

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STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD

IN THE MATTER OF THE PETITION OF  
LEGGETT AND PLATT, INC., FOR  
REVIEW OF WATER CODE SECTION  
13267 ORDER DATED JUNE 11, 2008 BY  
THE CALIFORNIA REGIONAL WATER  
QUALITY CONTROL BOARD, LOS  
ANGELES REGION

Petition No.  
PARTIAL JOINDER OF VALLEY  
ALHAMBRA PROPERTIES IN PETITION  
FOR REVIEW PURSUANT TO WATER  
CODE SECTION 13320 AND 23 C.C.R.  
§2050 ET SEQ; DECLARATION OF GARY  
J. HERMAN, SR. IN SUPPORT THEREOF

**I. INTRODUCTION**

Valley-Alhambra Properties ("Valley Alhambra") is a partnership which is the owner of real property located at 4900 Valley Boulevard, Los Angeles, California ("Site"). Valley Alhambra is a party interested in the proceedings initiated by the Regional Water Quality Control Board ("Regional Board") which resulted in the issuance of an order pursuant to Water Code Section 13267 on June 11, 2008 ("June 11 Order") directed to Leggett and Platt, Inc., the successor in interest to Valley Alhambra's former tenant on the Site. The Valley Alhambra partnership has always consisted of a group of elderly owners, several of whom have passed away during the lengthy time that this remediation process has been pending. As set forth in detail in the accompanying Declaration of Gary Herman, Sr., one of the remaining partners of Valley Alhambra, this process has been ongoing for well over 10 years and has had a significant negative impact on the use and financing of the property, has detrimentally impacted its rental value and has precluded any sale of the property for a full fair market value.

1 During the period since Leggett and Platt ceased its operations on the property, the Site has  
2 been rented to a succession of warehousing tenants. There have been no manufacturing operations at  
3 the property during that period nor occupation by any tenant whose use would have involved any risk  
4 of discharge of contaminants or have contributed in any way to any pre-existing hazardous  
5 conditions on the Site. Declaration of Gary Herman, Sr., paragraph 3.

6 **II. NAME AND ADDRESS OF PARTY IN INTEREST**

7 All correspondence and written communications regarding this matter should be directed to:

8 Gary J. Herman, Sr.  
9 1201 S. Olive Street  
10 Los Angeles, California 90015  
11 Telephone: 213-747-6531, Ext. 114  
12 Facsimile: 213-747-4305  
13 [garysr@sdherman.com](mailto:garysr@sdherman.com)

14 With a copy to:

15 Linda L. Northrup, Esq., Counsel for Valley Alhambra Properties  
16 Northrup Schlueter, A Professional Law Corporation  
17 31365 Oak Crest Drive, Suite 250  
18 Westlake Village, California 91361  
19 Telephone: 818-707-2600  
20 Facsimile: 818-707-2675  
21 [lnorthrup@nspic.com](mailto:lnorthrup@nspic.com)

22 **III. SPECIFIC ACTION OF THE REGIONAL WATER BOARD FOR WHICH STATE  
23 WATER BOARD REVIEW IS REQUESTED**

24 Valley Alhambra joins in the request of Leggett and Platt for review of the Section 13267  
25 Order issued by the Regional Water Board on June 11, 2008 ("June 11 Order") to the extent set forth  
26 herein and incorporates by reference the copy of the order attached to the Petition of Leggett and  
27 Platt as Exhibit A.

28 **IV. DATE OF THE REGIONAL WATER BOARD ACTION**

June 11, 2008.

**V. STATEMENT OF REASONS WHY THE REGIONAL WATER BOARD'S ACTION  
WAS INAPPROPRIATE OR IMPROPER**

Valley Alhambra partially joins in the Petition of Leggett and Platt for the reasons set forth  
below:

1           1.     Investigation, remediation, and confirmation monitoring activities, as well as the data  
2 derived from these activities, evidence that current conditions of the soil and ground water at the Site  
3 do not pose a substantial risk to human health or the waters of the State;

4           2.     Given the extensive work performed at the Site over the last 10 years, characterization  
5 of the Site is sufficient to understand the pre- and post-remedial conditions at the Site;

6           3.     The burden, including costs of compliance, imposed by the Order does not bear a  
7 reasonable relationship to the benefits that may be obtained from the reports and investigations  
8 sought by the Order;

9           4.     Investigation, remediation, and confirmation monitoring to date justifies closure of  
10 the Site without further investigation.

11           Valley Alhambra joins in the request of Leggett and Platt that the Petition be held in  
12 abeyance for the maximum period and reserves its right to supplement its submission if the Petition  
13 is reactivated.

14           However, to the extent that any portion of the Leggett & Platt Petition is based on an  
15 argument that Leggett and Platt is not a proper party or subject to the jurisdiction of the Water Board  
16 with respect to this Site and orders relating thereto, Valley Alhambra expressly declines to join in  
17 those portions of the Petition and opposes any such relief sought by Leggett and Platt in connection  
18 therewith and reserves the right to supplement its submission with additional authorities and  
19 evidence should any hearing be held thereon.

20  
21 **IV.    STATEMENT OF GRIEVANCE OF INTERESTED PARTY**

22           Valley Alhambra is aggrieved by the Order because: (1) Closure should have been issued  
23 when requested by Valley Alhambra on terms which had been approved by the Regional Water  
24 Board in January 2007; and (2) the June 11 Order imposes an excessive and continuing unnecessary  
25 financial burden on Valley Alhambra as the owner of the Site. See Declaration of Gary J. Herman,  
26 Sr. submitted herewith.

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1 **VII. SPECIFIC ACTION THAT INTERESTED PARTY REQUESTS THE STATE**  
2 **BOARD TO TAKE**

3 Valley Alhambra requests that the June 11 Order be rescinded in its entirety on the grounds  
4 that it is beyond the scope of investigation necessary to characterize the Site for closure. The State  
5 Water Board should direct the Regional Water Board to issue a closure letter for the Site.

6 Valley Alhambra joins Petitioner's request that the State Water Board hold this Petition in  
7 abeyance for the maximum time period or until reactivated. Valley Alhambra reserves the right to  
8 amend its submission and to request further action if the Petition is reactivated.

9 To the extent that any portion of the Leggett & Platt Petition requests that the Order be  
10 rescinded only as to Leggett and Platt, that Valley Alhambra be joined or that there be a finding that  
11 Leggett and Platt is not a proper party subject to the June 11 Order or subject to the jurisdiction of  
12 the Water Board or Regional Water Board with respect to this Site and orders relating thereto, Valley  
13 Alhambra expressly declines to join in those portions of the Petition and opposes any such relief  
14 sought by Leggett and Platt in connection therewith and reserves the right to supplement its  
15 submission with additional authorities and evidence should any hearing be held thereon.

16 **VIII. PARTIAL JOINDER IN POINTS AND AUTHORITIES SUBMITTED BY**  
17 **PETITIONER LEGGETT AND PLATT**

18 Valley Alhambra joins and incorporates herein by reference the arguments and authorities  
19 contained in the Petition of Leggett and Platt in Section VIII., Parts A. (Applicable Standard of  
20 Review), C. (Data from Ground Water Sampling Reports ...Show that the Current condition of the  
21 Soil and Groundwater Does not Pose a Substantial Risk, etc.), D. (The Regional Water Board Has  
22 Not Provided Prima Facie Evidence to Show a Change in Conditions Since it Ordered the  
23 Remediation Equipment Removed and Stated the Site was Eligible for Closure, Subject to  
24 Restrictive Covenants), and E. (The Cost Associated with the Investigation Required by the Order  
25 Has No Reasonable Relationship to the Nominal Threat, etc.).  
26  
27  
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1                   **A.     FAILURE TO ISSUE CLOSURE WILL RESULT IN SERIOUS FINANCIAL**  
2                   **HARDSHIP TO VALLEY ALHAMBRA PROPERTIES DUE TO**  
3                   **REDUCTION IN INCOME AND INABILITY TO FINANCE OR SELL ITS**  
4                   **PROPERTY FOR FULL AND FAIR MARKET VALUE**

5                   Valley Alhambra is a partnership made up of a group of elderly property owners who have  
6                   never themselves occupied or operated any business on the Site. Valley Alhambra has already  
7                   suffered significant financial hardship in connection with the lengthy period that this Site has been  
8                   subject to investigation and remediation, now for over ten (10) years. During that entire period,  
9                   Valley Alhambra has been prevented from selling its property for a fair commercial price due to the  
10                  great uncertainty created for any purchaser due to the open investigation underway by regulatory  
11                  agencies. This situation has also negatively impacted the rental income which may be generated by  
12                  the property due to the reluctance of substantial commercial tenants to allow their businesses to  
13                  operate on a property that is subject to an open environmental investigative proceeding. The details  
14                  of this past and present hardships are set forth in the Declaration of Gary Herman, a commercial real  
15                  estate agent and property manager with over fifty years of experience dealing with these types of  
16                  properties which is submitted herewith. Several of the owners have passed away during the lengthy  
17                  period of the investigation and remediation process thus far and the remainder are elderly and some  
18                  rely on the income from this property for full time nursing care. See Declaration of Gary Herman.

19                  Given the significant and thorough investigation and remediation already conducted at the  
20                  Site and the assessment of risks completed showing that future risks to public health and safety are  
21                  insignificant, as outlined in detail in the Petition of Leggett and Platt and the Declaration of George  
22                  Linkletter which is referred to and incorporated herein by reference, there is no justification for the  
23                  June 11 Order which will substantially increase the financial hardship and uncertainty to the Valley  
24                  Alhambra partners (who have never themselves occupied or operated businesses on the Site) for  
25                  what are, at best, negligible additional benefits to the public health and safety.  
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**IX. STATEMENT OF SERVICE ON REGIONAL WATER BOARD**

A copy of this partial joinder has been sent to the Regional Water Board.

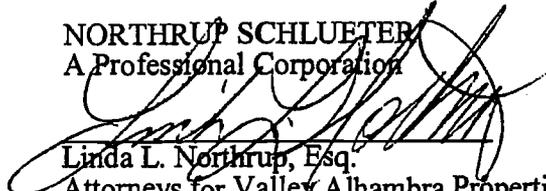
**X. JOINDER IN REQUEST FOR PREPARATION OF RECORD, FOR EVIDENTIARY HEARING AND FOR STAY**

Valley Alhambra joins in the request of Leggett and Platt for the preparation of the record in this matter by the Regional Water Board, for a Stay of the June 11 Order and for an evidentiary hearing on the matters raised in the Petition for the reasons and based on the authority stated therein to the extent joined by Valley Alhambra herein.

**XI. CONCLUSION**

Based on the fact that this Site has been subject to a full and complete investigation and remediation and was approved for closure by the Regional Water Board and that no new information or conditions warrant reopening of the Site and that the great financial burdens imposed by the June 11 Order far outweigh the potential benefits, if any, from the new work required thereunder, Valley Alhambra joins in the requests for relief, including a stay and evidentiary hearing, set forth in the Petition of Leggett and Platt, Inc. and incorporates the facts and legal authorities set forth therein to the extent and on the grounds set forth herein.

Dated: July 10, 2008

NORTHROP SCHLUETER  
A Professional Corporation  
  
Linda L. Northrup, Esq.  
Attorneys for Valley Alhambra Properties

1 DECLARATION OF GARY HERMAN, SR.

2 I, Gary J. Herman, Sr. declare as follows:

3 1. I am 77 years old and am one of the remaining partners (with my 76-year-old wife,  
4 Beverly) of Valley Alhambra Properties, a partnership which is the owner of real property located at  
5 4900 Valley Boulevard, Los Angeles, California ("Site"). I have been a commercial real estate  
6 broker and property manager for over fifty years and have been extensively involved in the  
7 management, leasing, financing and sale of commercial and industrial properties similar to the Site at  
8 issue. I have personal knowledge of the facts set forth herein and could and would competently  
9 testify thereto under oath.

10 2. In 1993 when contamination was first identified at the Site, the partners in the  
11 property included Ruth Shelby and Barney and Dorothy Weingard. In 2003 at the age of 90, Ruth  
12 Shelby passed away. Her interest in the property is currently held by her son, Charles Shelby, a  
13 Catholic priest who resides in Illinois. Earlier this year, at the age of 90, Barney Weingard passed  
14 away. Although his wife, Dorothy, is a remaining partner, she suffers from severe Alzheimer's  
15 disease, was not even able to attend her husband's funeral, and depends on the income from this  
16 property to fund her required full time nursing care. My wife and I suffer from numerous age related  
17 health conditions. I recently had serious colon surgery and my wife was recently diagnosed with an  
18 inoperable aneurysm and faces additional surgery in the coming months.

19 3. I have been the person primarily responsible for managing the Site for the Valley  
20 Alhambra partnership. After Leggett & Platt shut down its facility, the property was vacant until  
21 August 1995. Since then, the following tenants have occupied the Site for the various businesses  
22 described below, none of which involve manufacturing or use of solvents or chemicals to the best of  
23 my knowledge and belief. I have visited the Site numerous times while these tenants have been in  
24 occupancy and have seen nothing on the Site inconsistent with the type of business authorized to be  
25 conducted under their respective leases as set forth below:

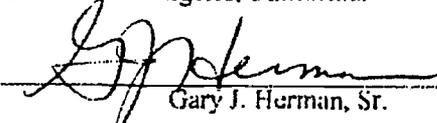
26	1995 - 1999	Apak International	Warehousing of used clothing
27	1999 - 2002	Los Angeles City Mission	Warehousing of used clothing
28	2002 - 2003	A-1 Clothing	Warehousing of used clothing

1	2003 - 2007	Sasco Electric	Warehousing of electrical products
2	2007 - present	Murray Plumbing &	
3		Heating	Warehousing of plumbing products

4           5.     In my experience, it is possible to demand and obtain higher rents from tenants with  
5 manufacturing operations or more sophisticated business operations. Warehousing is a use which  
6 generally brings in a lower quality tenant and property usable only as warehousing space has a lesser  
7 rental value than property which can be used for manufacturing operations. Over the past 13 years, I  
8 have attempted to market the Site to manufacturing tenants such as had been on the property up to  
9 the time it was vacated by Leggett and Platt. However, the fact that the site is subject to an ongoing  
10 and open investigation and remediation by the Regional Water Board has been a reason stated to me  
11 by numerous prospective manufacturing tenants that they will not consider leasing the property for  
12 their businesses as they do not want to risk being held responsible for any hazardous conditions  
13 which may exist on the property. This has in my opinion, drastically reduced the rental income that  
14 Valley Alhambra has been able to obtain for this property and this impact will continue as long as  
15 the Site remains open and the ongoing investigations continue.

16           6.     During the lengthy period in which this Site has been under investigation and remains  
17 open, the Valley Alhambra partners have been subject to extreme financial hardship as relates to this  
18 Site. The pending remediation (now for over 15 years) and characterization of the Site as an open  
19 site has had a significant deleterious impact on the ability to obtain financing for the property, on the  
20 rental income for this property and has prevented any sale of the property for its full commercial  
21 property value.

22           I declare under penalty of perjury that the foregoing is true and correct and that this  
23 declaration was executed this 10<sup>th</sup> day of July, 2008 at Los Angeles, California.

24  
25   
26 \_\_\_\_\_  
27 Gary J. Herman, Sr.  
28

(PROOF OF SERVICE)

STATE OF CALIFORNIA     |  
  |ss.  
COUNTY OF LOS ANGELES   |

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within proceeding; my business address is 31365 Oak Crest Drive, Suite 250, Westlake Village, California 91361.

On July 10, 2008, I served the following document(s) described as **PARTIAL JOINDER OF VALLEY ALHAMBRA PROPERTIES IN PETITION FOR REVIEW PURSUANT TO WATER CODE § 13320 AND 23 C.C.R. §2050; DECLARATION OF GARY J. HERMAN, SR. IN SUPPORT THEREOF** on the interested parties in this proceeding by facsimile to the numbers listed below and by placing true and correct copies thereof in a sealed envelope addressed as follows:

Mr. David Young Regional Water Quality Control Board 320 West Fourth St. Suite 200 Los Angeles, California Facsimile No. 213-576-6640	State Water Resources Control Board Office of Chief Counsel Jeannette L. Bashaw 1001 I Street 22 <sup>nd</sup> Floor Sacramento, California Facsimile No. 916-341-5199
Joan C. Donnellan, Esq. Parker, Milliken, Clark, O'Hara & Samuelian 555 So. Flower Street, 30 <sup>th</sup> Floor Los Angeles, California 90071 Facsimile No. 213-683-6669 Counsel for Leggett and Platt, Inc.	

**BY EXPRESS SERVICE CARRIER**

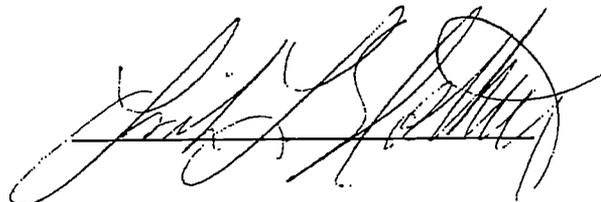
I deposited in a box or other facility regularly maintained by the express service carrier in an envelope or package designated by the express service carrier with delivery fees paid or provided for, addressed to the person on whom it is to be served.

Executed on July 10, 2008, at Los Angeles, California.

**STATE** — I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

**FEDERAL** — I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

\_\_\_\_\_  
LINDA L. NORTHRUP



**PROOF OF SERVICE**

STATE OF CALIFORNIA            )  
  ) ss.  
COUNTY OF LOS ANGELES        )

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within proceeding; my business address is 31365 Oak Crest Drive, Suite 250, Westlake Village, California 91361.

On December 23, 2008, I served the following document(s) described as **PARTIAL JOINDER OF VALLEY ALHAMBRA PROPERTIES IN PETITION FOR REVIEW PURSUANT TO WATER CODE § 13320 AND 23 C.C.R. §2050; DECLARATION OF GARY J. HERMAN, SR. IN SUPPORT THEREOF** on the interested parties in this proceeding by facsimile to the numbers listed below and by placing true and correct copies thereof in a sealed envelope addressed as follows:

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Joan C. Donnellan, Esq. Parker, Milliken, Clark, O'Hara & Samuelian 555 So. Flower Street, 30 <sup>th</sup> Floor Los Angeles, California 90071 Facsimile No. 213-683-6669 Counsel for Leggett and Platt, Inc.	

**BY EXPRESS SERVICE CARRIER**

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**STATE** — I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

**FEDERAL** — I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on December 23, 2008, at Los Angeles, California.

\_\_\_\_\_  
DIANA ANDERSON

*Diana Anderson*

EXHIBIT K



Linda S. Adams  
Secretary for  
Environmental Protection

# State Water Resources Control Board

## Office of Chief Counsel

1001 I Street, 22<sup>nd</sup> Floor, Sacramento, California 95814  
P.O. Box 100, Sacramento, California 95812-0100  
(916) 341-5161 ♦ FAX (916) 341-5199 ♦ <http://www.waterboards.ca.gov>



Arnold Schwarzenegger  
Governor

December 30, 2008

Linda Northrup, Esq.  
Northrup Schlueter  
31365 Oak Crest Drive, Suite 250  
Westlake Village, CA 91361  
lnorthrup@nsplc.com

Dear Ms. Northrup:

PETITION OF VALLEY-ALHAMBRA PROPERTIES, A CALIFORNIA GENERAL PARTNERSHIP (WATER CODE SECTION 13267 LETTER DATED NOVEMBER 25, 2008, REQUIRING CONDITIONS FOR APPROVED WORK PLAN FOR THE VALLEY ALHAMBRA PROPERTY, 4900 VALLEY BOULEVARD, LOS ANGELES, LOS ANGELES COUNTY), LOS ANGELES WATER BOARD: ACKNOWLEDGMENT OF PETITION RECEIVED AND APPROVAL OF REQUEST TO BE HELD IN ABEYANCE  
**SWRCB/OCC FILE A-1981(a)**

This will acknowledge receipt of the above petition on December 24, 2008. You have asked that the State Water Resources Control Board (State Water Board) hold the matter in abeyance for an unspecified period of time. We are happy to do so in hopes that the matter may be worked out between you and the Regional Water Quality Control Board (Regional Water Board). We will hold the matter in abeyance for two years from the date the petition was filed. If, by that time, no resolution of the matter has taken place or the matter has not become the subject of an active dispute, you may either request that the abeyance period be extended for another two-year period, or the petition will be dismissed.

If you have any questions, please call me at (916) 341-5175.

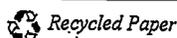
**IN ALL FUTURE CORRESPONDENCE, PLEASE REFER TO  
SWRCB/OCC FILE A-1981(a)**

Sincerely,

Elizabeth Miller Jennings  
Staff Counsel IV

cc: See next page

*California Environmental Protection Agency*



cc: Mr. Gary J. Herman, Sr.  
1201 S. Olive Street  
Los Angeles, CA 90015  
garysr@sdherman.com

Joan C. Donnellan, Esq.  
Parker, Milliken, Clark,  
O'Hara & Samuelian  
555 S. Flower Street, 30<sup>th</sup> Floor  
Los Angeles, CA 90071-2440  
jdonnellan@pmcos.com

Mr. Robert Anderson  
Leggett & Platt, Incorporated  
P.O. Box 757  
Number 1 Leggett Road  
Carthage, MO 64836

Ms. Tracy Egoscue **[via email only]**  
Executive Officer  
Los Angeles Regional Water Quality  
Control Board  
320 West 4th Street, Suite 200  
Los Angeles, CA 90013

Mr. David Bacharowski **[via email only]**  
Assistant Executive Officer  
Los Angeles Regional Water Quality  
Control Board  
320 West 4th Street, Suite 200  
Los Angeles, CA 90013

Ms. Deborah Smith **[via email only]**  
Assistant Executive Officer  
Los Angeles Regional Water Quality  
Control Board  
320 West 4th Street, Suite 200  
Los Angeles, CA 90013

Mr. David Young **[via email only]**  
Environmental Geologist  
Los Angeles Regional Water Quality  
Control Board  
320 West 4th Street, Suite 200  
Los Angeles, CA 90013

Michael J. Levy, Esq. **[via email only]**  
Office of Chief Counsel  
State Water Resources Control Board  
1001 I Street, 22<sup>nd</sup> Floor [95814]  
P.O. Box 100  
Sacramento, CA 95812-0100

Jennifer L. Fordyce, Esq. **[via email only]**  
Office of Chief Counsel  
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1001 I Street, 22<sup>nd</sup> Floor [95814]  
P.O. Box 100  
Sacramento, CA 95812-0100

Jeffery M. Ogata, Esq. **[via email only]**  
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P.O. Box 100  
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Elizabeth Miller Jennings, Esq. **[via email only]**  
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Sacramento, CA 95812-0100



Linda S. Adams  
Secretary for  
Environmental Protection

# State Water Resources Control Board

## Office of Chief Counsel

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Arnold Schwarzenegger  
Governor

December 30, 2008

Joan C. Donnellan, Esq.  
Parker, Milliken, Clark, O'Hara & Samuelian  
555 S. Flower Street, 30<sup>th</sup> Floor  
Los Angeles, CA 90071-2440  
[jdonnellan@pmcos.com](mailto:jdonnellan@pmcos.com)

Dear Ms. Donnellan:

PETITION OF LEGGETT & PLATT, INCORPORATED (WATER CODE SECTION 13267  
LETTER DATED NOVEMBER 25, 2008, REQUIRING CONDITIONS FOR APPROVED WORK  
PLAN FOR THE VALLEY ALHAMBRA PROPERTY, 4900 VALLEY BOULEVARD, LOS  
ANGELES, LOS ANGELES COUNTY), LOS ANGELES WATER BOARD:  
ACKNOWLEDGMENT OF PETITION RECEIVED AND APPROVAL OF REQUEST TO BE  
HELD IN ABEYANCE  
**SWRCB/OCC FILE A-1981**

This will acknowledge receipt of the above petition on December 24, 2008. You have asked that the State Water Resources Control Board (State Water Board) hold the matter in abeyance for an unspecified period of time. We are happy to do so in hopes that the matter may be worked out between you and the Regional Water Quality Control Board (Regional Water Board). We will hold the matter in abeyance for two years from the date the petition was filed. If, by that time, no resolution of the matter has taken place or the matter has not become the subject of an active dispute, you may either request that the abeyance period be extended for another two-year period, or the petition will be dismissed.

If you have any questions, please call me at (916) 341-5175.

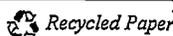
**IN ALL FUTURE CORRESPONDENCE, PLEASE REFER TO  
SWRCB/OCC FILE A-1981**

Sincerely,

Elizabeth Miller Jennings  
Staff Counsel IV

cc: See next page

*California Environmental Protection Agency*



Joan C. Donnellan, Esq.

- 2 -

December 30, 2008

cc: Mr. Robert Anderson  
Leggett & Platt, Incorporated  
P.O. Box 757  
Number 1 Leggett Road  
Carthage, MO 64836

Mr. Gary J. Herman, Sr.  
1201 S. Olive Street  
Los Angeles, CA 90015  
garysr@sdherman.com

Linda Northrup, Esq.  
Northrup Schlueter  
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Westlake Village, CA 91361  
lnorthrup@nspic.com

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320 West 4th Street, Suite 200  
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Mr. David Young **[via email only]**  
Environmental Geologist  
Los Angeles Regional Water Quality  
Control Board  
320 West 4th Street, Suite 200  
Los Angeles, CA 90013

Michael J. Levy, Esq. **[via email only]**  
Office of Chief Counsel  
State Water Resources Control Board  
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P.O. Box 100  
Sacramento, CA 95812-0100

Jennifer L. Fordyce, Esq. **[via email only]**  
Office of Chief Counsel  
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1001 I Street, 22<sup>nd</sup> Floor [95814]  
P.O. Box 100  
Sacramento, CA 95812-0100

Jeffery M. Ogata, Esq. **[via email only]**  
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Elizabeth Miller Jennings, Esq. **[via email only]**  
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State Water Resources Control Board  
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P.O. Box 100  
Sacramento, CA 95812-0100

*California Environmental Protection Agency*



EXHIBIT L



Infrastructure, environment, facilities

Mr. David Young  
California Regional Water Quality Control Board  
Los Angeles Region  
320 West 4<sup>th</sup> Street, Suite 200  
Los Angeles, California 90013

ARCADIS  
1400 N Harbor Blvd.  
Suite 700  
Fullerton  
California 928385  
Tel 714 278 0992  
Fax 714 278 0051  
www.arcadis-us.com

Subject:

Work Plan Addendum for Additional Soil Gas and Groundwater Site Closure  
Sampling  
Valley Alhambra Property  
4900 East Valley Boulevard  
Los Angeles, California  
SLIC No. 967

ENVIRONMENT

Date:

June 1, 2010

Contact:

Robert Ruscitto

Phone:

714-964-2226, ext. 3012

Email:

robert.ruscitto@arcadis-us.com

Our ref:

CA000751.0001

Dear Mr. Young:

On behalf of Valley Alhambra Properties ("Valley Alhambra") and Leggett & Platt, Incorporated, and Dresher, Incorporated (collectively "Leggett"), ARCADIS U.S., Inc has prepared this Work Plan Addendum for additional soil gas and groundwater sampling in support of site closure at the Valley Alhambra Property (site) located at 4900 Valley Boulevard, California (Figure 1). This work plan is an addendum to the closure activities outlined in the *Work Plan for Additional Investigations* as prepared by ENVIRON<sup>1</sup> (Appendix A), and is in response to an on-site meeting held on January 16, 2009 between representatives from the California Regional Water Quality Control Board, Los Angeles Region (RWQCB), Parker Milliken Clark O'Hara & Samuelian, Northrop Schlueter (counsel for Gary Herman, Senior), ENVIRON and ARCADIS. The meeting was held to review groundwater and soil-gas data collected in December 2008 by ENVIRON as part of the work plan prepared by ENVIRON, and to discuss the actions required to achieve closure at the site. The resulting scope of work agreed upon during the January 16 on-site meeting to complete site closure is the following:

- Preparation of this Work Plan Addendum.
- Install two off-site borings along Valley Boulevard downgradient of the former paint dip tank and collect groundwater grab samples for volatile organic compound

<sup>1</sup> ENVIRON, 2008. Work Plan for Additional Investigations, Valley Alhambra Property (SLIC No. 967), January 28.

Imagine the result

(VOC) analysis to evaluate the lateral extent of impacts downgradient of the site (locations are shown in Figure 2). As discussed with the RWQCB during the January 16, 2010 on-site meeting, if off-site groundwater results show negligible concentrations of tetrachloroethene (PCE), consistent with previous on-site sampling results, no further work in regards to the groundwater are required.

- Install three soil-gas probes in the warehouse north of previous investigation locations SG-106 and SG-112 where PCE concentrations in soil-gas (134 micrograms per liter from SG-112; Appendix B) were detected. Samples will be analyzed using an on-site mobile laboratory for VOCs (locations are shown in Figure 2).
- Evaluate collected soil-gas data against California Human Health Screening Levels (CHHSLs) for commercial/industrial land use, and evaluate the vapor intrusion potential at the site by modeling concentrations using the current Johnson and Ettinger soil-gas screening model developed by Cal/EPA<sup>2</sup>. Modeled concentrations will include data collected by ARCADIS as outlined in this Work Plan Addendum, along with data collected previously by ENVIRON in 2008. The combined data will be evaluated assuming 95% upper confidence level results. The resulting data, assumptions, and input parameters used for the model run and results will be sent to Cal/EPA, Department of Toxic Substances Control (DTSC), and the Office of Environmental Health and Hazard Assessment (OEHHA) for review. As stated by the RWQCB during the January 16, 2009 on-site meeting, if OEHHA agrees that risk is acceptable, then closure for the soil-gas vapor intrusion issue would be granted.
- Purge and sample eight existing monitoring wells (MW-1 through MW-5, EX-1, EX-2, and RMT-1) concurrent with the soil-gas sampling to confirm that concentrations have remained consistent with previous results, or have declined when compared to previously collected data.

Relevant site background is summarized in the work plan prepared by ENVIRON (Appendix A). Groundwater and soil-gas analytical data collected in December 2008 to implement the scope of work proposed by ENVIRON are provided in figures included as Appendix B.

---

<sup>2</sup> Cal/EPA, 2009. SG-SCREEN EPA Version 2.0, April 2003; Soil-Gas Screening Model (Vapor Intrusion Guidance, Interim Final December 2004 [Last Modified February 4, 2009]).

The proposed site investigation activities will be performed in accordance with a site-specific Health and Safety Plan and under the supervision of a State of California Certified Professional Geologist. Details of the methodologies for the proposed work are described in the following sections.

## **Pre-field Activities**

Prior to initiation of the drilling activities, ARCADIS will procure permits necessary to conduct the work. Underground Services Alert (USA) will be scheduled to visit the site for public utility line clearance at all proposed boring and soil gas probe locations at least 48 hours prior to the commencement of work. USA will review utility maps while completing a field reconnaissance of the proposed locations to determine if any are co-located with public utility lines. ARCADIS will also contract an independent geophysical survey company to verify that the proposed boring and soil gas probe locations are not co-located with any existing underground features. Borings and soil-gas probes in conflict with identified utilities and/or substructures will be relocated.

## **Drilling and Sampling of Soil Borings**

Proposed soil borings AB-1 and AB-2 will be installed along the Valley Boulevard right-of-way at the approximate locations shown on Figure 2. Prior to drilling, each location will be cleared for subsurface utilities to approximately 5 feet below grade surface (bgs) using an air knife and vacuum truck. The borings will then be advanced from 5 feet bgs to approximately 30 feet bgs using roto-sonic drilling methods. Upon reaching the borehole total depth, a groundwater grab sample will be collected from approximately three feet below the encountered water table by installing a temporary well point following the general procedures outlined in the work plan prepared by ENVIRON. The well point will be constructed of 2-inch, Schedule 40 polyvinyl chloride (PVC) screen and riser, and will be backfilled with #3 sand to approximately two feet above the top of the screen. Once installed, the drilling rods will be retracted from the surface to expose the well screen. After allowing the temporary well to equilibrate for approximately twenty minutes, the groundwater sample will be collected by deploying a clean 2-inch disposable bailer attached to a length of clean twine. Depending on groundwater recharge rates within the temporary well point, one to three casing volumes will be purged from the well prior to sampling. Groundwater samples from AB-1 and AB-2 will be collected in laboratory provided containers and labeled according to the sample location, sample depth, date, and time. The labeled samples will be placed under chain-of-custody control in a chilled cooler, and transported to a State certified laboratory to be analyzed for VOCs using EPA Method 8260B.

The soil cuttings generated during the installation of AB-1 and AB-2 will be field screened for VOCs using a photoionization detector (PID) and examined for soil classification based on the Udden-Wentworth grain size scale. All soil descriptions, including grain size distribution, sorting, moisture content, consistency/density, color (based on the Munsel color system), and PID readings will be recorded on a field boring log.

Upon completion of drilling and sampling, the proposed borings will be backfilled with bentonite grout or bentonite chips to a depth of approximately 1 foot in accordance with California Department of Water Resources Bulletins 74-81 and revised Bulletin 74-90. The remaining foot of each boring will be patched with asphalt or concrete to match the existing surface and grade.

#### **Installation and Sampling of Soil-Gas Probes**

Proposed soil-gas probes ASG-1 through ASG-3 will be installed to a depth of approximately 5 feet bgs at the approximate locations shown on Figure 2 using a direct push drilling rig operated by a State-licensed contractor.

A soil sample will be collected at approximately 5 feet bgs during the installation of ASG-1 and ASG-3. Samples will be collected in sample sleeves appropriate for the analysis and submitted to PTS laboratories in Santa Fe Springs, California to be analyzed for air permeability (native and specific), porosity (total, effective, air-filled, water-filled), air and water volume, moisture content, intrinsic permeability/hydraulic conductivity, grain density, dry bulk density, total organic carbon, and grain size (Vapor Transport Package; Johnson-Ettinger). The data will be used to develop a site-specific Johnson and Ettinger soil-gas screening model.

Once the target depth is reached vapor probes will be installed in each boring through the interior of the clean drive rods. Installation and sampling of the probes will follow procedures outlined in the 2003 California-EPA soil-gas advisory<sup>3</sup>, or the most current version promulgated by the state at the time of RWQCB approval of work outlined in this work plan. The probes will be constructed using clean ¼-inch polyethylene (PET) tubing with a 1-inch long porous PET implant or stainless steel screen set at a depth of approximately 5 feet below the base of the building slab in each location. As the rods are slowly extracted, a one foot thick filter pack of clean #2/12 Monterey Sand will be emplaced in the borehole around the screened section such that the screen is centered within the interval. Approximately one foot of dry

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<sup>3</sup> Cal-EPA, 2003. Advisory – Active Soil Gas Investigations; January 28.

granular bentonite will be placed in the borehole above the filter pack. The remaining annulus will be filled with bentonite grout to approximately 3 inches below grade.

After allowing the probes to equilibrate for at least 30 minutes, the appropriate purge volume previously determined will be used at the site. If no VOCs are detected, a default of three volumes will be used during sampling.

Immediately prior to sampling each probe, a leak test will be conducted using isopropanol as a tracer. Following completion of each successful leak test, a sample will be collected from each probe using a gas tight, opaque, syringe. As recommended in the 2003 Cal-EPA soil-gas advisory, purging and sampling rates will be between 100 and 200 milliliters per minute. Each sample will be labeled by location, sample depth, date, and time, recorded on a chain-of-custody, and given to an on-site State certified mobile laboratory for immediate analysis of VOCs using EPA Method 8260B.

A duplicate sample will be collected from one of the probe locations using a 6-liter SUMMA canister equipped with a 20-minute flow regulator. The sample will be labeled accordingly and submitted to an offsite laboratory and analyzed for VOCs using EPA Method TO-15.

#### **Groundwater Monitoring**

The eight existing monitoring well locations MW-1 through MW-5, EX-1, EX-2, and RMT-2 will be purged and sampled concurrently with the soil-gas installation and sampling. Prior to sampling, depth to water levels will be collected from each well and recorded on a field log, along with the well and well box conditions. Low-flow groundwater sampling procedures will then be utilized to minimize disturbance to groundwater in the well. Wells will be purged with a peristaltic pump prior to sampling at a flow rate below 250 milliliters per minute using dedicated tubing. During purging, a stable depth-to-water will be maintained in the subject monitoring well so that total drawdown is less than 0.3 feet (3.6 inches). Field parameters (pH, specific conductivity, dissolved oxygen, oxygen reduction potential, and temperature) will be monitored approximately every three minutes until the measurements demonstrated less than 10 percent variation over three readings. When the field parameters stabilized, the groundwater samples were collected. Field instruments will be operated and calibrated as specified in the manufacturers' operation manuals.

Groundwater samples will be collected directly from dedicated discharge tubing installed in each of the sampled monitoring wells. Samples will be collected in laboratory provided containers and labeled according to the sample location, sample depth, date, and time. The labeled samples will be placed under chain-of-custody

control in a chilled cooler, and transported to a State certified laboratory to be analyzed for VOCs using EPA Method 8260B.

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**Quality Assurance/Quality Control (QA/QC) Sample Collection and Analysis**

To verify that cross-container contamination has not occurred during sample transport, trip blanks will be included with each sample transport container.

During the off-site groundwater investigation, one equipment blank (EB) will be collected prior to collecting one of the groundwater samples. The EB will be collected by pouring lab grade water through a clean disposable bailer and capturing it on the opposite end in a laboratory provided container. At the completion of the groundwater monitoring event, an EB will be collected by pouring lab grade water over the depth-to-water probe and capturing it in a laboratory provided container. A duplicate sample will also be collected during both the off-site groundwater investigation and the groundwater monitoring event.

QA/QC samples collected in association with both the off-site investigation and the groundwater monitoring will be submitted under chain-of-custody procedures to a State certified laboratory and analyzed for VOCs using EPA Method 8260B.

**Containment and Disposal of Investigation Derived Waste (IDW)**

Soil cuttings and other IDW generated during the field activities will be placed in DOT approved 55-gallon drums, sealed, and labeled. Containerized IDW will be stored on-site until it is profiled and subsequently transported to an approved facility for disposal or recycling.

**Reporting**

The procedures and results of the investigation described in this work plan will be presented to the RWQCB in a final report. The report will include, but not be limited to:

- Descriptions of the work performed and methods used
- Analytical data summarized in tables and on figures
- Copies of laboratory analytical reports
- Copies of field boring logs

- Discussion of findings
- Recommendations and conclusions.

As directed by the RWQCB<sup>4</sup> in correspondence dated November 25, 2008, ARCADIS will also include a Site Conceptual Model (SCM) in the report.

If you have any questions regarding this work plan, please contact Mr. Robert Ruscitto of ARCADIS at (714) 278-0992, extension 3012.

Sincerely,  
ARCADIS



Erik Gaiser  
Senior Geologist



Robert R. Ruscitto, P.G. 7038  
Project Manager

Copies:

Robert Anderson – Leggett and Platt, Inc.  
Linda Northrup – Northrup Schlueter  
Gary Herman – S.D. Herman Co.  
Joan Donnellan, Esq. – Parker Milliken Clark O'Hara & Samuelian  
Project File

Attachments:

Figure 1 – Site Location Map  
Figure 2 – Proposed Groundwater Sampling and Soil-Gas Locations  
Appendix A – ENVIRON Work Plan  
Appendix B – ENVIRON Figures Showing December 2008 Groundwater and Soil-gas Data

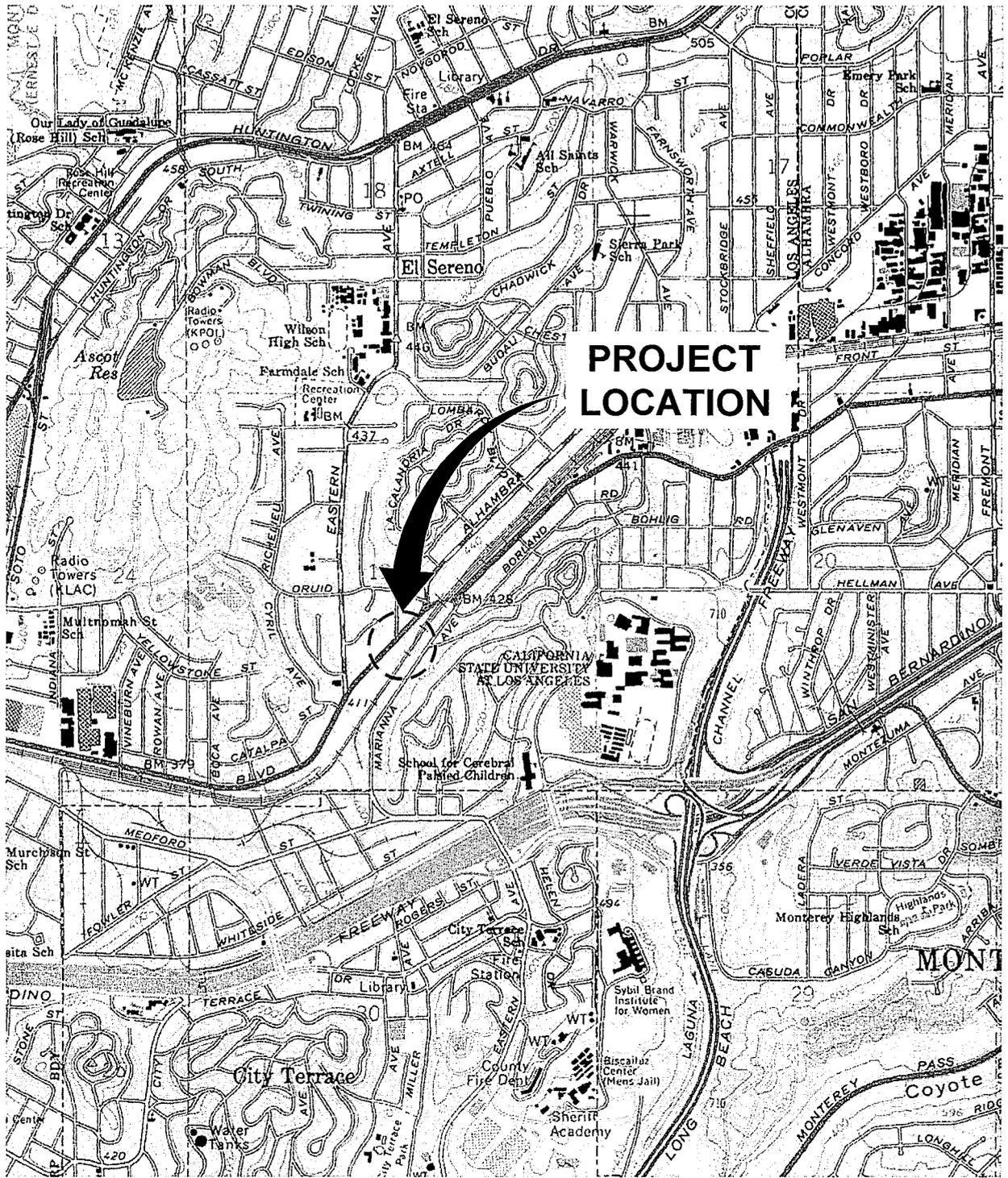
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<sup>4</sup> RWQCB, 2008. Conditional Approval of Work Plan for Additional Investigation Pursuant to California Water Code Section 13267 Order – Valley Alhambra Property, 4900 Valley Boulevard, Los Angeles, California (SLIC NO 0967, Site ID 204DJ00), November 25.

ARCADIS

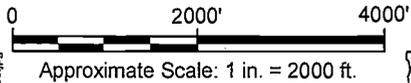
**Figures**

CITY:FULLERTON DIV:GROUP:ENV LD:R:HUBATCH PIC:R:CHEATHAM PNG:FIOL TMR:RUSCIOTTO  
 G:\ENV\CAD\F\arcad\ACT\CA00075\1000\100001\DMG\CA510101-1.dwg LAYOUT: FIG 1 SAVED: 4/29/2010 3:46 PM ACADVER: 18.08 (LMS TECH) PAGESETUP: — PLOTTED: 5/4/2010 3:14 PM BY: HUBATCH, RICK  
 XREFS: IMAGES: PROJECTNAME: CHARTIS INSURANCE  
 ARCADIS Color Layer.pdg  
 Los\_Angeles\_03411842\_gmo.jpg



**PROJECT  
LOCATION**

REFERENCE: BASE MAP USGS 7.5 MIN. TOPO. QUAD., LOS ANGELES, CALIFORNIA, 1966, PHOTOREVISED 1994



VALLEY ALHAMBRA PROPERTY 4900 EAST VALLEY BOULEVARD LOS ANGELES, CALIFORNIA	
<b>SITE LOCATION MAP</b>	
	FIGURE <b>1</b>



ARCADIS

**Appendix A**

ENVIRON Work Plan

## **ENVIRON**

November 14, 2008

David Young  
California Regional Water Quality Control Board  
Los Angeles Region  
320 West Fourth Street, Suite 200  
Los Angeles, California 90013

**Re: Work Plan for Additional Investigations  
Valley Alhambra Property (SLIC No. 967)  
4900 East Valley Boulevard  
Los Angeles, California**

Dear Mr. Young:

ENVIRON International Corporation (ENVIRON) submits this work plan to the California Regional Water Quality Control Board – Los Angeles Region (LARWQCB) to perform additional environmental investigations at the Valley Alhambra Property, 4900 East Valley Boulevard, California (the "Site", see Figures 1 and 2). ENVIRON has been retained to prepare and implement this work plan.

On June 11, 2008, the LARWQCB issued an Order requiring additional investigation including soil gas testing at the Site and the vertical and lateral delineation of the chlorinated volatile organic compounds (VOCs) in ground water among other requirements. Leggett & Platt Incorporated filed a Petition and Request for Reconsideration with both the State Water Resources Control Board and the LARWQCB requesting the issuance of a No Further Action (NFA) status. Valley Alhambra Properties filed a Partial Joinder in that Petition.

Representatives of Valley Alhambra and L&P, accompanied by ENVIRON, and representatives of the LARWQCB (including David Bacharowski) met on October 14, 2008 to discuss the issues raised by the Petition and Request for Reconsideration as discussed at length by Dr. Linkletter. David Bacharowski advised the parties that the LARWQCB wanted a soil gas study of the Site and would issue a No Further Action designation for the soil if the soil gas study supported the conclusion that potential VOC vapor intrusion risk at the Site would be within the acceptable risk management range consistent with unrestricted and/or commercial/industrial land use. Mr. Bacharowski further advised the parties that LARWQCB wanted to receive a work plan for investigation of the off-site location (formerly referred to as the Corradini property and now owned by Mirror Image, Inc.) to delineate the migration of chlorinated VOCs, if any, from the Site to the off-site location; the issuance of an NFA designation for the ground water at the Site will depend on the results of the off-site investigation.

### **OBJECTIVE**

The objectives of the additional investigations presented in this work plan are to satisfy the requirements in the Order as limited by the LARWQCB at the October 14<sup>th</sup> meeting and to obtain an NFA designation for the Site.

- The objective of a post-remediation soil gas survey is to collect data that will be used to evaluate potential volatile organic compound (VOC) vapor intrusion at the site, as requested by the California Environmental Protection Agency's Office of Environmental Health Hazard Assessment in its letter dated April 17, 2006.

- The objective of the off-site ground water investigation is to evaluate if the chlorinated VOCs from the Site migrated at actionable levels in the off-site ground water to the southwest and west of the Site, on the property located at 4876 and 4880 Valley Boulevard (formerly referred to as the Corradini property and now owned by Mirror Image, Inc.). Ground water data collected from prior monitoring events, both prior to and after implementation of soil and ground water remedial activities, have demonstrated that chlorinated VOCs have been functionally delineated in the northerly, easterly, and southerly directions outside the source area and no additional delineation will be necessary in that regard at this time.

## SCOPE OF WORK

All activities proposed in this work plan will be conducted under the direct supervision of a California-registered Professional Engineer (Civil) and/or Professional Geologist. To implement the work plan, ENVIRON will undertake four tasks, as described below:

### Task 1: Pre-Field Activities

As part of this task, ENVIRON will notify Underground Service Alert (USA) Dig Alert regarding the proposed boring locations and coordinate with its subcontractors (e.g., utility locator, concrete corer, driller, and analytical laboratory). In addition to the services provided by USA Dig Alert, ENVIRON will retain a private utility locator to conduct a geophysical survey to mark subsurface utility lines and potential obstructions.

ENVIRON will obtain permits for the ground water borings from the Los Angeles County Department of Health Services and the necessary site access agreement from the property located at 4876 and 4880 Valley Boulevard. ENVIRON will also update its previously prepared site-specific Health and Safety Plan (HASP) to perform the field tasks. The HASP is designed to minimize exposure of ENVIRON field personnel to potentially hazardous materials.

### Task 2: On-Site Soil Gas Survey

Soil gas sampling will be performed at 10 locations within the relatively small footprint of the former VOC remediation area (less than 5,000 square feet) at the site. The approximate locations of the proposed soil gas borings are shown on Figure 3. Concrete will be cored where necessary. The soil gas contractor will advance the soil borings with a direct push-type rig, thereby reducing drilling residuals. Soil gas samples will be collected with pre-cleaned syringes from a depth of approximately 5 feet below ground surface (bgs) at each location. Since ground water has been historically been measured at a depth of approximately 10 to 14 feet at the site, deeper soil gas samples will not be collected.

Soil gas samples will be analyzed in a California state-certified on-site mobile laboratory for VOCs by United States Environmental Protection Agency (USEPA) Method 8260B or equivalent. The soil gas survey will conform to the Joint Department of Toxic Substances Control and LARWQCB soil survey advisory dated January 28, 2003. The reporting limits for VOCs in soil gas will be below the California Human Health Screening Levels (CHHSL) commercial/industrial use scenario thresholds.

Prior to advancing the initial soil gas boring and between mobilizing to successive locations, the direct push equipment will be decontaminated to minimize the potential for cross-contamination. Decontamination water will be placed in Department of Transportation (DOT) – approved 55-gallon drums, appropriately labeled, and marked for subsequent disposal.

**Task 3: Off-Site Ground Water Sampling**

ENVIRON proposes to collect grab ground water samples from five locations on the property located at 4876 and 4880 Valley Boulevard, located to the adjacent southwest and west of the site (see Figures 4a<sup>1</sup> and 4b) to address the LARWQCB's desire to determine if chlorinated VOCs in ground water have migrated from the Site to the off-site location (Corradini/Mirror Image property) at actionable levels. Borings will be advanced using a direct push drilling system in conjunction with a truck-mounted or track-mounted limited access rig. The borings will be hand augered to a depth of approximately 5 feet prior to drilling. Borings are expected to advance to depths of approximately three feet past first water, which is anticipated at approximately 10 to 14 feet bgs based on previous water depth measurements. One grab ground water sample will be collected from each boring by either HydroPunch® or the installation of temporary wells, as appropriate. These ground water samples will be collected according to the procedures outlined in Grab Ground Water Sampling Protocol, which is included as Appendix A.

Ground water samples will be collected in 40-milliliter (ml) volatile organic analysis (VOA) vials preserved with hydrochloric acid, labeled, and placed in a cooler with ice pending shipment to a stationary California State-certified laboratory at the completion of each day of fieldwork. Ground water samples will be analyzed for VOCs by USEPA Method 8260B on a 5 to 7 business days turnaround basis. For QC purposes, ENVIRON will collect duplicate, equipment, and trip blank samples, as needed, for each day of field work.

Following the ground water sampling activities, the borings will be backfilled with bentonite grout and patched with asphalt or concrete on the surface to match the existing ground surface. Soil cuttings and wastewater will be placed in 55-gallon drums and brought back to the site for subsequent disposal.

**Task 4: Data Evaluation and Report Preparation**

Upon completion of field activities, the soil gas and ground water data will be evaluated and incorporated into a report with appropriate conclusions and recommendations for next steps. The soil gas data will be compared to CHHSLs and, if necessary, a vapor intrusion evaluation will be completed to further evaluate potential vapor intrusion at the site. The ground water data will be evaluated along with the prior ground water monitoring data collected from the site.

Depending on the schedule for the sampling activities, it may be logical to prepare separate reports for the on-site soil gas survey and off-site ground water investigations. The report(s) will be submitted to the RWQCB for and electronically uploaded to the State's Spills, Leaks, and Investigations Cleanup (SLIC) Program database per the LARWQCB's requirements.

**WORK PLAN SCHEDULE**

Upon receipt of the LARWQCB's approval to proceed with the Work Plan, ENVIRON can conduct the tasks described above in the tentative schedule listed below:

Task Description	Schedule
Task 1 -- Pre-field Activities	1 to 2 weeks, contingent on the driller's availability
Task 2 -- On-Site Soil Gas Survey	1 day of field work 4 days for laboratory analyses

<sup>1</sup> Figures 4a and 4b are the same except Figure 4a depicts the aerial backdrop.

Mr. David Young

-4-

November 14, 2008

Task Description	Schedule
Task 3 – Off-Site Ground Water Sampling	1 to 2 days of field work 2 weeks for laboratory analyses
Task 4 – Data Evaluation and Report Preparation	4 weeks upon receipt of analytical data

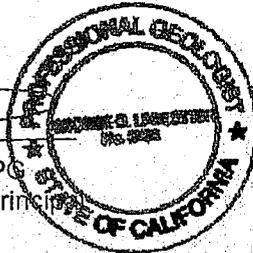
### CLOSING

Upon receipt of the LARWQCB's written approval of the work plan, ENVIRON can begin its implementation. If you have any questions, please call George Linkletter at 949.798.3601 or Eddie Arslanian at 213.943.6326.

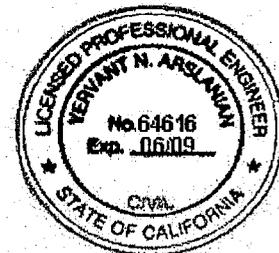
Very truly yours,



George O. Linkletter, PhD, PG  
Senior Vice President and Principal



Eddie Arslanian, PE  
Senior Manager



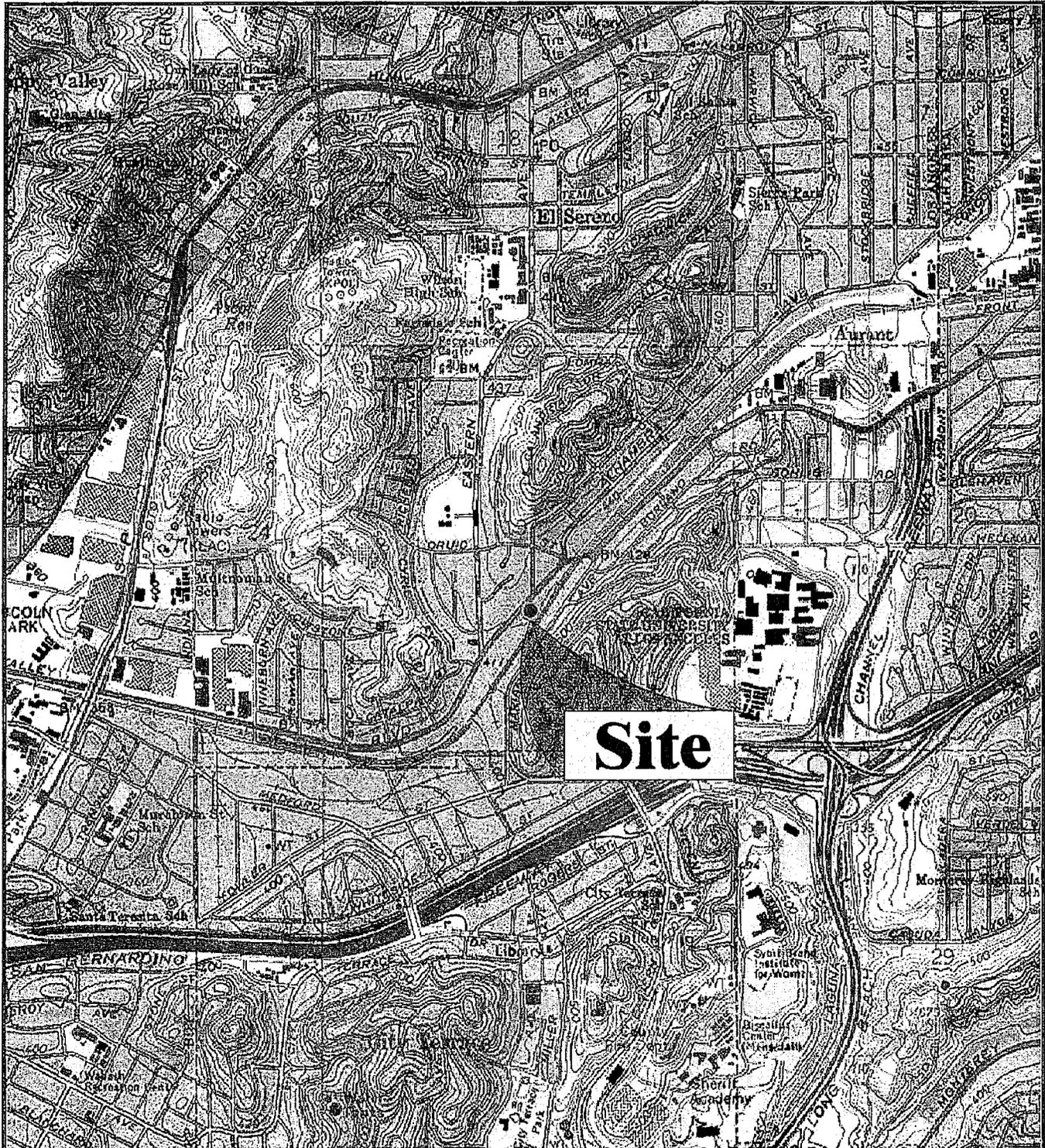
EA:slb

P:\A\Alhambra\Work Plan for Additional Investigation (Oct. 2008)\final work plan 111408.doc

Enclosures: Figures 1, 2, 3, 4a, and 4b  
Attachment A

copy: Joan Donnellan, Parker Milliken Clark O'Hara & Samuelian  
Gordon Billheimer, Leggett & Platt, Incorporated  
Linda Northrup, Northrup Schlueter  
Gary Herman, S.D. Herman Company, Incorporated

**FIGURES**



SOURCE: U.S.G.S. 7.5 minute series (topographic)  
Los Angeles Quadrangle, CA, current as of 1994

CONTOUR INTERVAL 40 FEET  
DOTTED LINES REPRESENT 10-FOOT CONTOURS  
NATIONAL GEODETIC VERTICAL DATUM OF 1929  
SCALE 1:24000



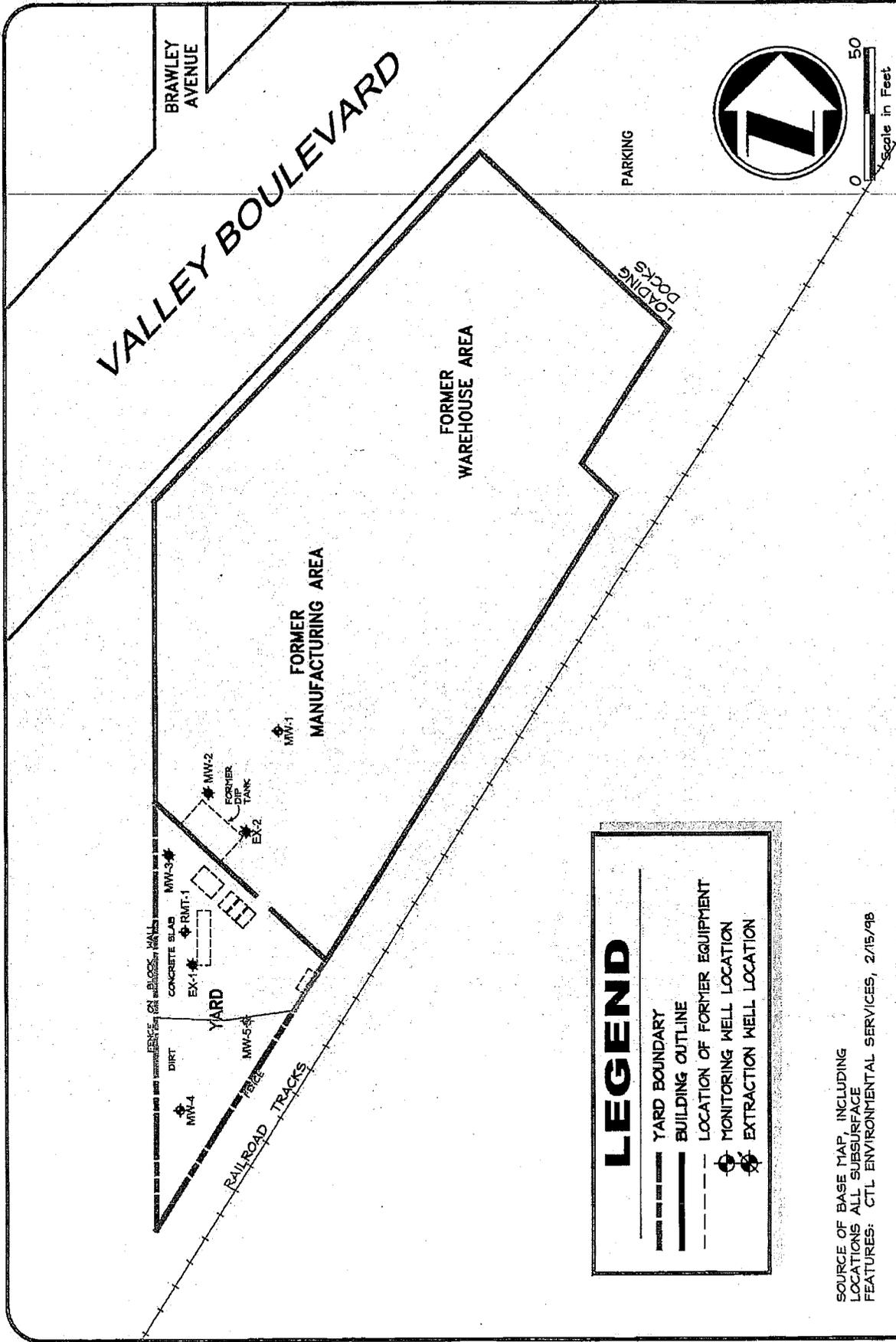
**ENVIRON**

**Vicinity Map**  
4900 East Valley Boulevard  
Los Angeles, California

Figure  
**1**

Drafter: JJC      Date: 4/17/01      Contract Number: 04-9065A      Approved:      Revised: 7/14/03

FILE: P:\VALLEY\ALHAMBRADRAWINGS\9065A.FIA



**LEGEND**

- YARD BOUNDARY
- BUILDING OUTLINE
- LOCATION OF FORMER EQUIPMENT
- MONITORING WELL LOCATION
- EXTRACTION WELL LOCATION

SOURCE OF BASE MAP, INCLUDING LOCATIONS ALL SUBSURFACE FEATURES: CTL ENVIRONMENTAL SERVICES, 2/15/98

**Figure 2**

**Site Plan**  
 4900 East Valley Boulevard  
 Los Angeles, California

Revised: 3/12/03

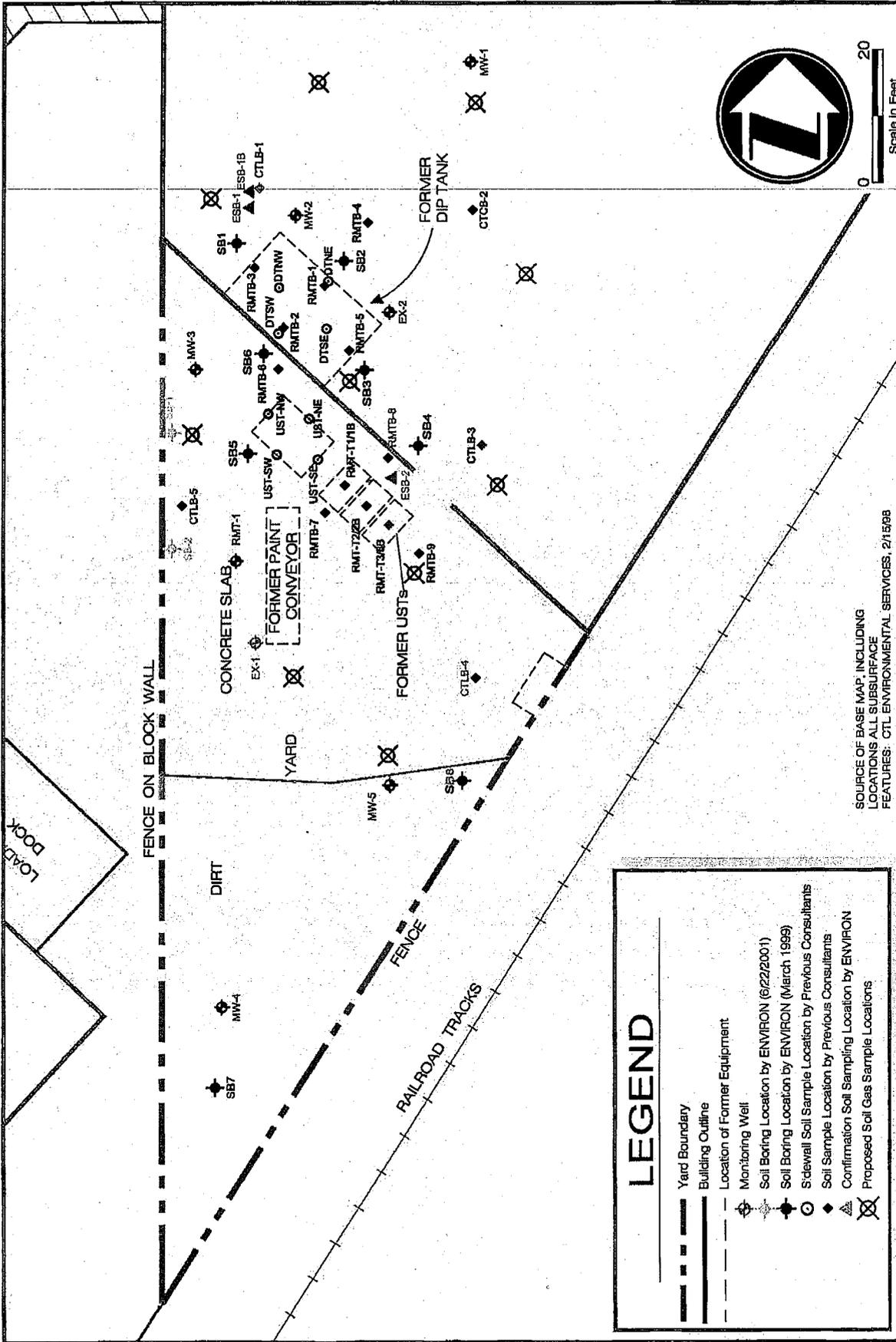
Approved:

Contract Number: 04-9065A

**ENVIRON**

Date: 4/17/01

Drafter: JJC



SOURCE OF BASE MAP, INCLUDING LOCATIONS ALL SUBSURFACE FEATURES: CTL ENVIRONMENTAL SERVICES, 2/19/98

**LEGEND**

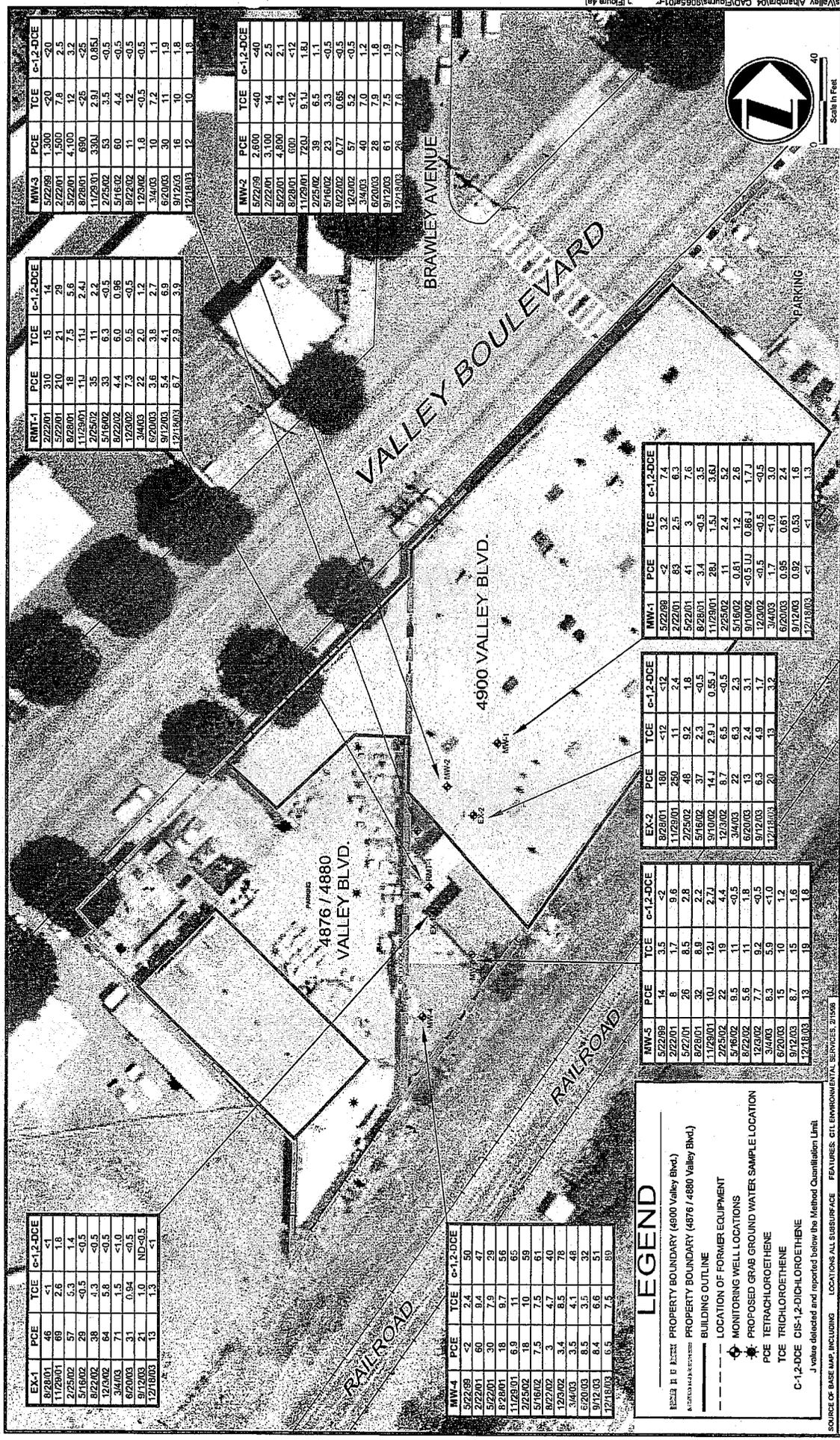
- Yard Boundary
- Building Outline
- Location of Former Equipment
- Monitoring Well
- Soil Boring Location by ENVIRON (6/22/2001)
- Soil Boring Location by ENVIRON (March 1999)
- Sidewall Soil Sample Location by Previous Consultants
- Soil Sample Location by Previous Consultants
- Confirmation Soil Sampling Location by ENVIRON
- Proposed Soil Gas Sample Locations

**ENVIRON**

**Proposed Soil Gas Sample Locations**  
4900 East Valley Boulevard  
Los Angeles, California

Figure **3**

Drafter: SSS      Date: 12/03/03      Contract Number: 04-9065A      Approved:      Revised: 11/04/08



EX-1	PCE	TCE	c-1,2-DCE
8/28/01	46	<1	<1
11/29/01	69	2.6	1.8
2/25/02	57	5.3	1.4
5/16/02	29	<0.5	<0.5
8/22/02	38	4.3	<0.5
12/3/02	64	5.8	<0.5
3/4/03	71	1.5	<1.0
6/20/03	31	0.94	ND-<0.5
9/12/03	21	1.0	ND-<0.5
12/18/03	13	1.3	<1

RMT-1	PCE	TCE	c-1,2-DCE
2/22/01	310	15	14
5/22/01	210	21	29
8/28/01	18	7.5	5.6
11/29/01	114	11.1	2.4J
2/25/02	35	11	2.2
5/16/02	33	6.3	<0.5
8/22/02	44	6.0	0.95
12/3/02	7.3	9.5	<0.5
3/4/03	22	2.0	1.2
6/20/03	3.6	3.8	2.7
9/12/03	5.4	4.1	6.9
12/18/03	6.7	2.9	3.9

MW-3	PCE	TCE	c-1,2-DCE
5/22/89	1,300	<0	<0
2/22/01	1,500	7.8	2.5
5/22/01	4,100	12	3.2
8/28/01	690	<95	<95
11/29/01	330J	2.8J	0.85J
2/25/02	53	3.5	<0.5
5/16/02	60	4.4	<0.5
8/22/02	11	12	<0.5
12/3/02	10	7.2	1.1
3/4/03	30	11	1.9
6/20/03	16	10	1.8
9/12/03	12	10	1.8
12/18/03	12	10	1.8

MW-2	PCE	TCE	c-1,2-DCE
5/22/89	2,600	<40	<40
2/22/01	3,100	14	2.5
5/22/01	4,600	14	2.1
8/28/01	900	<12	<12
11/29/01	720J	9.1J	1.8J
2/25/02	39	6.5	1.1
5/16/02	23	3.3	<0.5
8/22/02	9.77	0.85	<0.5
12/3/02	57	5.2	<0.5
3/4/03	40	7.0	1.2
6/20/03	28	7.9	1.8
9/12/03	61	7.5	1.9
12/18/03	26	7.6	2.7

MW-4	PCE	TCE	c-1,2-DCE
5/22/89	<2	2.4	50
2/22/01	60	6.4	47
5/22/01	30	7.9	29
8/28/01	18	9.7	5.6
11/29/01	6.9	11	6.5
2/25/02	18	10	59
5/16/02	7.5	7.5	61
8/22/02	3	4.7	40
12/3/02	3.4	8.5	78
3/4/03	3.5	4.1	48
6/20/03	8.5	3.5	32
9/12/03	8.4	6.6	51
12/18/03	6.5	7.5	89

MW-5	PCE	TCE	c-1,2-DCE
5/22/89	14	3.5	<2
2/22/01	8	1.7	9.6
5/22/01	26	8.5	2.8
8/28/01	32	8.9	2.2
11/29/01	10J	12J	2.7J
2/25/02	22	19	4.4
5/16/02	9.5	11	<0.5
8/22/02	5.6	11	1.8
12/3/02	7.7	9.2	<0.5
3/4/03	6.3	5.9	<1.0
6/20/03	15	10	1.2
9/12/03	8.7	15	1.6
12/18/03	13	19	1.8

EX-2	PCE	TCE	c-1,2-DCE
8/29/01	180	<12	<12
11/29/01	250	11	2.4
2/25/02	48	9.2	1.8
5/16/02	37	2.3	<0.5
8/28/01	14J	2.9J	0.55J
11/29/01	8.7	6.5	<0.5
2/25/02	22	6.3	2.3
5/16/02	6.1	6.3	2.3
8/28/01	13	2.4	3.1
11/29/01	6.3	4.9	1.7
2/25/02	20	13	3.2

MW-1	PCE	TCE	c-1,2-DCE
5/22/89	<2	3.2	7.4
2/22/01	53	2.5	6.3
5/22/01	41	3	7.6
8/28/01	3.4	<0.5	3.5
11/29/01	28J	1.5J	3.6J
2/25/02	11	2.4	5.2
5/16/02	0.81	1.2	2.6
8/28/01	<0.5	0.86J	1.7J
11/29/01	<0.5	1.7	3.0
2/25/02	1.7	<1.0	2.4
5/16/02	0.92	0.53	1.6
8/28/01	<1	<1	1.3

**LEGEND**

- PROPERTY BOUNDARY (4900 Valley Blvd.)
- PROPERTY BOUNDARY (4876 / 4880 Valley Blvd.)
- BUILDING OUTLINE
- LOCATION OF FORMER EQUIPMENT
- MONITORING WELL LOCATIONS
- PROPOSED GRAB GROUND WATER SAMPLE LOCATION
- TCE TETRACHLOROETHENE
- C-1,2-DCE CIS-1,2-DICHLOROETHENE

J values detected and reported below the Method Quantification Limit  
 SOURCE OF BASE MAP: INCLUDING LOCATIONS ALL SUBSURFACE FEATURES: CIT ENVIRONMENTAL SERVICES 2/15/08

**ENVIRON**

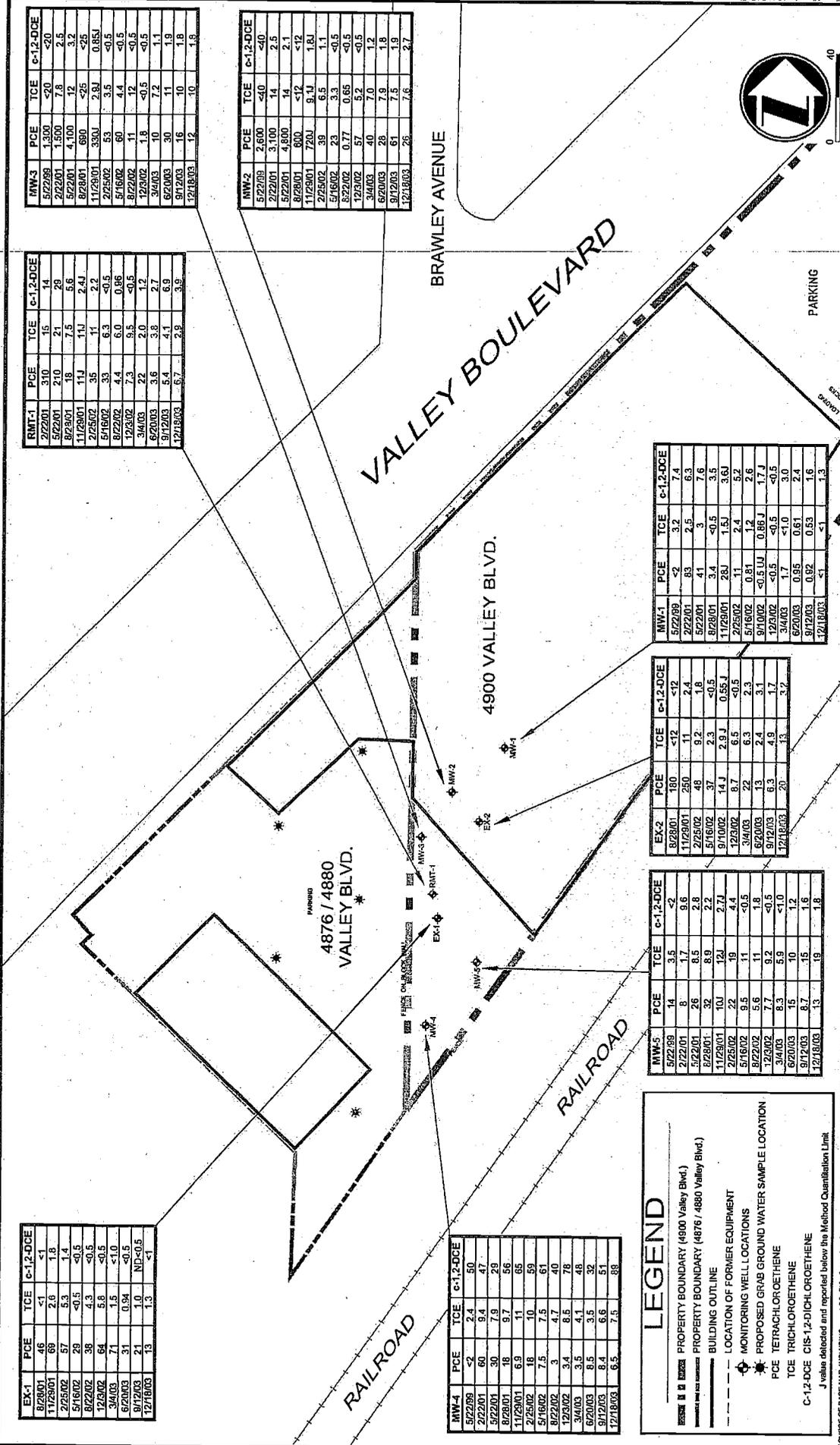
DRAWN BY: JAC DATE: 2/15/08 REVISION: 1/17/08

**Proposed Off-Site Ground Water Investigations**  
 4900 E. Valley Boulevard  
 Los Angeles, California

PROJECT NO: 04-0065A

Figure 4a

Fig: 2/01\_ProposedOffSiteGroundWaterInvestigations\_040065A\_01-1.dwg (1/17/08)



EX-1	PCE	TCE	c-1,2-DCE
8/29/01	46	<1	<1
11/29/01	69	2.6	1.8
2/25/02	57	5.3	1.4
5/16/02	29	<0.5	<0.5
8/22/02	38	4.3	<0.5
12/3/02	64	5.8	<0.5
3/4/03	71	1.5	<1.0
6/20/03	31	0.94	<0.5
9/12/03	21	1.0	ND<0.5
12/18/03	13	1.3	<1

RMT-1	PCE	TCE	c-1,2-DCE
2/22/01	310	15	14
5/22/01	210	21	29
8/23/01	18	7.5	5.6
11/29/01	114	11	2.41
2/25/02	35	11	2.2
5/16/02	33	6.3	<0.5
8/22/02	44	6.0	0.66
12/3/02	73	9.5	<0.5
3/4/03	22	2.0	1.2
6/20/03	3.6	3.8	2.7
9/12/03	5.4	4.1	6.9
12/18/03	6.7	2.9	3.9

MW-3	PCE	TCE	c-1,2-DCE
5/22/01	1300	<10	<10
2/22/01	1500	7.8	2.1
5/22/01	4100	12	3.2
8/28/01	680	<95	<95
11/29/01	3300	2.91	0.851
2/25/02	53	3.5	<0.5
5/16/02	60	4	<0.5
8/22/02	11	12	<0.5
12/3/02	11.8	<0.5	<0.5
3/4/03	10	7.2	<0.5
6/20/03	30	10	1.1
9/12/03	16	10	1.8
12/18/03	12	10	1.8

MW-2	PCE	TCE	c-1,2-DCE
5/22/01	2,600	<40	<40
2/22/01	3,100	14	2.5
5/22/01	4,800	14	2.1
8/28/01	800	<12	<12
11/29/01	7200	9.4	1.81
2/25/02	39	6.5	1.1
5/16/02	23	3.3	<0.5
8/22/02	0.77	0.65	<0.5
12/3/02	57	5.2	<0.5
3/4/03	40	7.0	1.2
6/20/03	28	7.9	1.8
9/12/03	61	7.5	1.9
12/18/03	26	7.6	2.7

MW-1	PCE	TCE	c-1,2-DCE
5/22/01	<2	3.2	7.4
2/22/01	83	2.5	5.3
5/22/01	41	3	7.6
8/28/01	3.4	<0.5	3.9
11/29/01	280	1.50	3.60
2/25/02	11	2.4	5.2
5/16/02	0.81	1.2	2.6
8/22/02	<0.5 UJ	0.88 J	1.7 J
12/3/02	1.7	<1.0	3.0
3/4/03	0.95	0.61	2.4
6/20/03	0.92	0.53	1.6
9/12/03	<1	<1	1.3
12/18/03	<1	<1	1.3

EX-2	PCE	TCE	c-1,2-DCE
8/28/01	180	<12	<12
11/29/01	250	11	2.4
2/25/02	48	9.2	1.8
5/16/02	37	2.2	0.5
8/22/02	44.1	2.9 J	0.52 J
12/3/02	8.7	8.5	<0.5
3/4/03	22	8.5	<0.5
6/20/03	13	2.4	3.1
9/12/03	6.3	4.3	1.7
12/18/03	20	1.8	5.2

MW-5	PCE	TCE	c-1,2-DCE
5/22/01	14	3.5	<2
2/22/01	8	1.7	9.6
5/22/01	26	8.5	2.8
8/28/01	32	8.9	2.2
11/29/01	101	12.1	2.71
2/25/02	22	18	4.4
5/16/02	9.5	11	<0.5
8/22/02	7.7	9.2	<0.5
12/3/02	8.3	5.9	<1.0
3/4/03	8.3	5.9	<1.0
6/20/03	15	10	1.2
9/12/03	8.7	15	1.6
12/18/03	13	18	1.8

MW-4	PCE	TCE	c-1,2-DCE
5/22/01	<2	2.4	50
2/22/01	50	6.4	47
5/22/01	30	7.9	29
8/28/01	16	9.7	36
11/29/01	6.8	11	65
2/25/02	18	10	39
5/16/02	7.3	7.5	61
8/22/02	3	4.7	40
12/3/02	3.4	8.5	16
3/4/03	3.8	3.1	16
6/20/03	8.3	3.8	32
9/12/03	8.4	9.6	51
12/18/03	6.5	7.3	38

**LEGEND**

- PROPERTY BOUNDARY (4876/4880 Valley Blvd.)
- PROPERTY BOUNDARY (4876/4880 Valley Blvd.)
- BUILDING OUTLINE
- LOCATION OF FORMER EQUIPMENT
- MONITORING WELL LOCATIONS
- PROPOSED GRAB GROUND WATER SAMPLE LOCATION
- PCE TETRACHLOROETHENE
- TCE TRICHLOROETHENE
- c-1,2-DCE CIS-1,2-DICHLOROETHENE

J values detected and reported below the Method Quantitation Limit  
 SOURCE OF BASE MAP: INCLINGS LOCATIONS ALL SUBSURFACE FEATURES: CTE ENVIRONMENTAL SERVICES 2/15/08

**ATTACHMENT A**

**Grab Ground Water Sampling Protocol**

# GRAB GROUND WATER SAMPLING PROTOCOL

## 1.0 INTRODUCTION

This protocol describes the procedures to be followed during collection of "grab" ground water samples using the Enviro Probe, HydroPunch, temporary well point, and/or sampling inside the augers. These tools and methods are generally used to collect ground water samples for chemical analysis during ground water screening programs, and in some cases to measure water levels or pore pressure at discrete depths.

A DAILY FIELD RECORD will be completed for each day of fieldwork, and the project manager will keep the original form in the project files after review. Soil borings drilled in conjunction with the collection of discrete-depth ground water samples will be in drilled in accordance with the protocol DRILLING AND DESTRUCTION OF SOIL BORINGS. Ground water samples collected for chemical analysis will be handled in accordance with the SAMPLING ANALYSIS PLAN.

The procedures presented herein are intended to be of general use and, where necessary, may be supplemented by a work plan and/or health and safety plan. As the work progresses, and if warranted, appropriate revisions may be made by the project manager. Detailed procedures in this protocol may be superseded by applicable agency requirements.

## 2.0 SAMPLING EQUIPMENT

The Enviro Probe, HydroPunch, temporary well point, and/or sampling inside the augers, can be used with several subsurface exploration methods, including hollow stem auger drilling, mud rotary drilling, and cone penetrometer testing (CPT). Selection of the appropriate sampling tool should be based on anticipated field conditions such as the site hydrogeology (e.g., depth of sampling location below the water table, soil grain size, and estimated permeability), and type of subsurface exploration method employed.

If required, permits for drilling soil borings will be acquired from the appropriate agency or agencies before the drilling is initiated. An underground utility check will, at a minimum, consist of contacting a local utility alert service, if available.

### 2.1 Enviro Probe

The Enviro Probe consists of a stainless steel drive point with a retractable outer sleeve; a stainless steel, wire-cloth filter; various viton rubber O-rings; and a flexible viton rubber seal (septum) at the upper end of the probe, as shown in the figure ENVIRO PROBE SCHEMATIC. The rubber septum provides a watertight seal that prevents water from readily entering or existing the top of the probe. The filter is attached to the inside body of the probe and is protected by the retractable outer sleeve. The sample reservoir is part of a separate assembly, as discussed in Section 3.1. The tool can be disassembled readily for cleaning between sampling events.

## **2.2 HydroPunch**

The HydroPunch consists of a drive point, a stainless steel screen section, a sample reservoir integral with the tool body, and assorted O-rings and check valves to create watertight seals between the various components. Two models of the HydroPunch have been developed, HydroPunch I and HydroPunch II, each having slightly different designs and/or component parts. All components are made of stainless steel, Teflon, or other relatively inert materials. The tool can be disassembled easily for cleaning between sampling events.

## **2.3 Temporary Well Point**

Installation of a temporary well point is similar to installation of a permanent monitoring well. A PVC well (comprised of 2-inch diameter well screen and riser; well screen typically is 5-foot long) is emplaced inside the augers to the desired depth. A gravel pack is emplaced surrounding the well screen to approximately 2 feet above the well screen as the augers are slowly pulled from the borehole, leaving the approximately 5-foot long well screen and surrounding gravel pack in the targeted water-bearing zone.

## **2.4 Sampling Inside the Hollow Stem Auger**

If it is not feasible to obtain a grab ground water sampling using either HydroPunch or temporary well points, grab ground water samples also can be collected directly from inside the augers.

# **3.0 SAMPLING METHODS**

Installation of the Enviro Probe or HydroPunch generally follows the same procedure. A target sample interval (target zone) is usually identified prior to collecting a sample. When sampling while using conventional drilling methods, the soil boring is advanced to a depth immediately above the target zone prior to installing the sampling tool. The sampling tool is attached to one of several different types of standard drilling rods (minimum 1-inch inside diameter for the Enviro Probe), lowered to the bottom of the existing borehole, and advanced (driven or pushed) approximately 2 to 4 feet into undisturbed formation. Internal seals and/or check valves create a water tight sampling tool while in the closed position, so that the Enviro Probe or HydroPunch can be used in fluid filled boreholes.

After the sampling tool is emplaced at the target sample depth, the outer sleeve is retracted approximately 1 to 1.5 feet (generally 1 foot of retraction for the Enviro Pro and 1.5 feet of retraction for the HydroPunch). As the outer sleeve is retracted, subsurface friction keeps the drive point in place, exposing the screen section, and allowing water to enter the sampling tool.

## **3.1 Enviro Probe Sampling Procedure**

Ground water samples are collected by lowering the appropriate ground water monitoring system (GMS) tool down the drive rod (i.e., drill rod). The GMS tools consist of a pore pressure transducer unit (i.e. an in situ pressure transducer with a cable of

appropriate length and an electronic data logger or other type of read out unit) and a GMS ground water sample collection kit. The GMS ground water sample collection kit consists of sample vials, ranging in size from 35 to 1000 milliliters (ml), and a sample vial housing assembly. The sample vial(s) are sealed with a flexible viton rubber septum and cap similar to the upper end of the probe. Prior to collecting a ground water sample, the pore pressure unit is connected in series with the sample vial housing via an arrangement of double-ended hypodermic needles. After the housing and pore pressure unit have been connected, the sample vial is evacuated with a hand vacuum pump.

Sampling and pore pressure measurements are obtained by lowering the pressure transducer unit and housing assembly down the drive rod. The tools connect the Enviro Probe via a quick coupling system through the hypodermic needles, which provide a temporary, closed system, hydraulic connection. Ground water samples are obtained directly from the Enviro Probe and into the pre-evacuated sample vials. The pressure transducer is used to monitor filling of the sample vial and to measure hydrostatic pressure of the formation after the sample vial has filled.

If needed, the pore pressure unit or the GMS ground water sampling unit can be used independently. The time allowed to fill the vial depends on the physical properties of the target formation and the ground water pressure at the depth of the probe.

After the sample vial has filled, the sample housing is withdrawn from the drive rods and the sample vial removed. The Enviro Probe is generally purged by removing one probe volume (approximately 15 ml) of ground water prior to collecting a sample for preservation and transport to the laboratory. At locations where multiple sample containers must be filled, the probe can be sampled repeatedly at the same depth by repeating the sample collection procedures.

### **3.2 HydroPunch Sampling Procedures**

HydroPunch I ground water samples are usually collected under hydrostatic conditions, whereby ground water flows from the formation through the screened section and into the sample reservoir. Accordingly, HydroPunch I cannot be used at depths less than approximately 5 feet below the ground water table. The sample reservoir is allowed to fill until ground water enters the drive rod; the water level inside the drive rod can be measured using a water level indicator. The actual sample collection time at each depth depends upon the physical properties of the target zone and the fluid pressure outside the probe. Once the sample reservoir is filled, the HydroPunch is returned to the surface. Although the sample reservoir is sealed at both ends by internal one way check valves, care must be taken to avoid cross-communication with transmissive units or borehole fluids at a higher potentiometric head than the target zone. Before retrieving the tool, deionized water should be added to the drive rod to a level that exceeds the highest potentiometric surface in the borehole.

HydroPunch II can be used below the water table, in a manner similar to HydroPunch I, or it can be used at the water table in the "hydrocarbon mode". If HydroPunch II is used in the "hydrocarbon mode," the sample is collected by lowering a narrow diameter bailer through the drive rod (minimum 1- inch diameter) and bailing out the volume of water

required for analysis. The screen and drive point are left in the hole as the HydroPunch II tool is removed.

When the sample is retrieved to the surface, it is decanted into laboratory prepared sample containers suitable for the analysis desired. The HydroPunch is then disassembled for decontamination and preparation for subsequent sampling depths. The HydroPunch I can be continued in the same borehole to the next desired depth.

### **3.3 Temporary Well Point Sampling Procedure**

After allowing sufficient water from the formation to enter the temporary well (typical times range from 15 minutes to 1 hour), a ground water sample is collected by carefully and slowly lowering a new polyethylene bailer into the temporary well. After removal from the boring, fluid in the bailer will be carefully transferred to the appropriate sampling container. Samples obtained for VOC analysis will be collected to minimize the potential for VOC volatilization (e.g., slowly and carefully lowering the bailer into the temporary well and carefully transferring the water into VOC vials). Once the ground water sample has been collected, the temporary well is removed from the borehole.

Depending on field conditions, temporary well point purging may be conducted. If temporary well purging takes place, then 1 to 3 casing volume will be purged depending on the depth of the well, the depth to water, and the production of the temporary well point.

### **3.4 Sampling Inside the Hollow Stem Auger Sampling procedure**

Using this method, the augers will be advanced to the desired depth, and then retracted a few feet to allow ground water to enter the boring. After allowing sufficient water from the formation to enter the boring (typical times range from 15 minutes to 1 hour), a new polyethylene bailer will be carefully lowered inside the augers and a ground water sample will be collected.

## **4.0 EQUIPMENT DECONTAMINATION**

The Enviro Probe and HydroPunch are cleaned by complete disassembly, including O-rings and/or check valves, followed by a laboratory-grade detergent and potable water wash, followed by a deionized water rinse. All decontamination rinsate will be collected and stored properly for future off-site disposal. The condition of O-rings should be checked during each cleaning and replaced as necessary. The screen should be discarded after each use. The tool will be disassembled after cleaning, following the instructions provided in the appropriate sampling kits. In case of a temporary well, once the PVC is removed from the hole, it will be discarded and new-dedicated PVC will be used on the next borehole.

## **5.0 EQUIPMENT CONSTRAINTS**

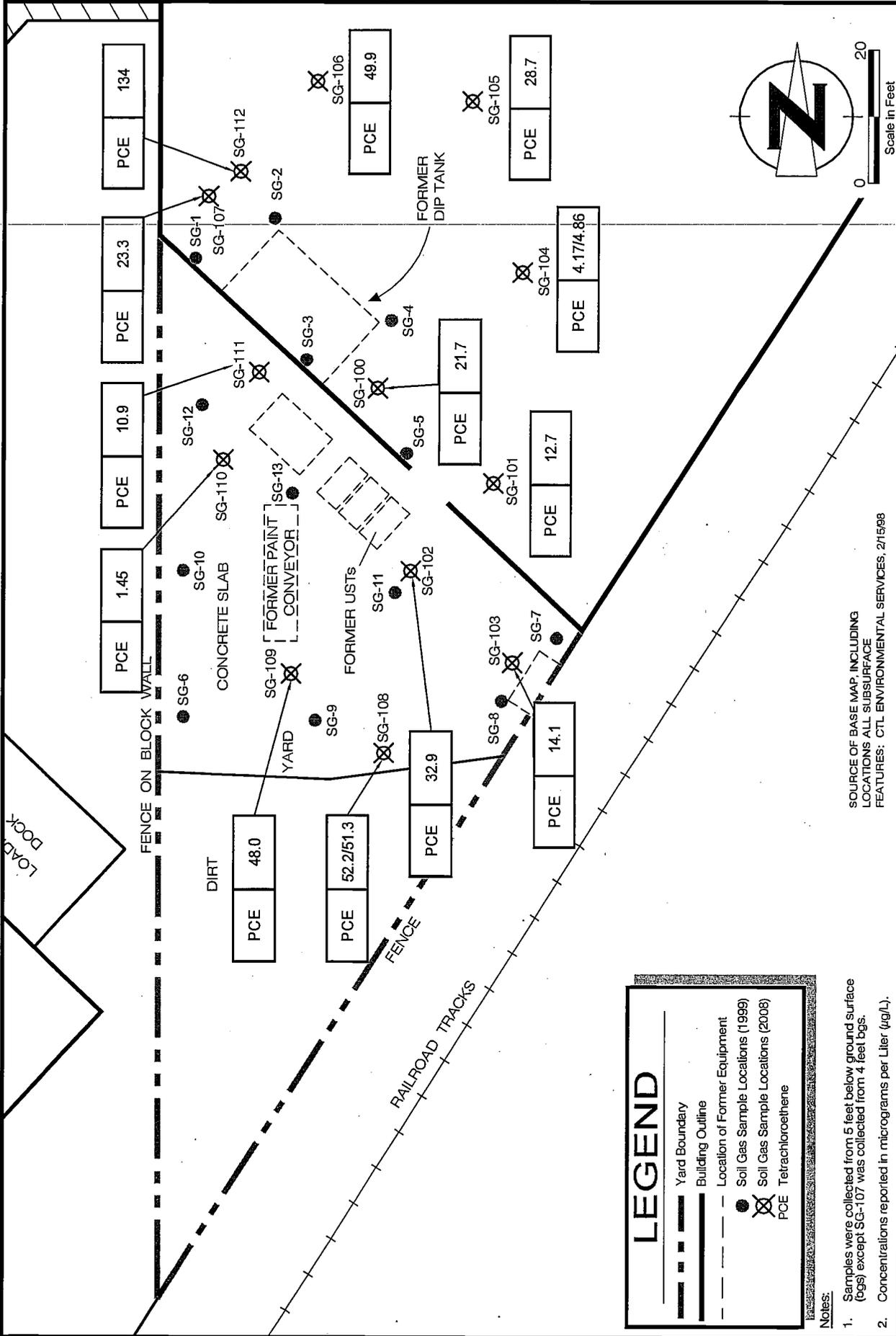
The Enviro Probe and its associated GMS assembly require drive rods of a minimum 1-inch inside diameter. HydroPunch I and HydroPunch II ("in the ground water mode") require drive rods of sufficient diameter to allow passage of the water level indicator, generally about ½ inch. HydroPunch II in the "hydrocarbon mode" (water table sampling) requires drive rods of a minimum of 1-1/8-inch diameter to allow passage of the 1-inch-outside-diameter bailer.

As stated earlier, HydroPunch I (and HydroPunch II in the "ground water mode") cannot be used at sampling depths less than 5 feet below the water table. HydroPunch I, when full, has a capacity of 500 ml; HydroPunch II, when full, has a capacity of 1250ml. The Enviro Probe system and HydroPunch II in the "hydrocarbon mode" allow for collection of unlimited sample volumes. The HydroPunch I can be assembled to allow samples to be bailed in a manner similar to hydrocarbon mode so that unlimited sample volume is available.

ARCADIS

**Appendix B**

ENVIRON Figures Showing  
December 2008 Groundwater  
and Soil-gas Data



**ENVIRON**

**Figure 1**

**PCE Concentrations in Soil Gas**  
4900 East Valley Boulevard  
Los Angeles, California

SOURCE OF BASE MAP, INCLUDING LOCATIONS ALL SUBSURFACE FEATURES: CTL ENVIRONMENTAL SERVICES, 2/15/98

Drafter: JJC Date: 1/12/09 Contract Number: 04-9065A Approved: Revised:

# LEGEND

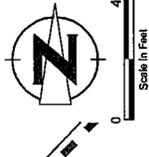
- Property Boundary (4900 Valley Blvd.)
- Property Boundary (4876 / 4880 Valley Blvd.)
- Building Outline
- Monitoring Well Location
- CPT Location
- CPT/Grab Ground Water Sample Location
- Grab Ground Water Sample Location
- PCE
- Tetrachloroethene
- TCE
- Trichloroethene
- cb-1,2-DCE
- cb-1,2-Dichloroethane
- CPT Cone Penetrometer Test
- J Value Deleted and Reported Below the Method Quantitation Limit

Source of Base Map: CIL Environmental Services, 2/15/08.  
 Note: All concentrations are reported in micrograms per liter (µg/L).

VALLEY BLVD.

BRAWLEY AVENUE

RAILROAD



B-2 Refusal at 35 feet bgs. At 32 feet bgs, did not observe ground water after waiting for 40 minutes.

B-7 At 17 feet bgs, did not observe ground water after waiting for 40 minutes.

B-1 Refusal at 62 feet bgs.

B-6 Refusal at 7 feet bgs. No ground water.

B-3 Refusal at 8 feet bgs. No ground water.

B-5 Refusal at 7.7 feet bgs. No ground water.

B-8	DEPTH	PCE	TCE	cb-1,2-DCE
12/30/2008	17-20	17.7	2.28	<1.0

B-4	DEPTH	PCE	TCE	cb-1,2-DCE
12/30/2008	17-20	15.6	1.65	<1.0

MW-4	PCE	TCE	cb-1,2-DCE
5/22/08	<2	2.4	50
2/22/01	60	9.4	47
2/22/01	30	7.9	29
8/28/01	18	9.7	56
11/29/01	6.9	11	65
2/25/02	18	10	59
5/16/02	7.5	7.5	61
8/22/02	3	4.7	40
12/3/02	3.4	8.5	78
3/4/03	3.5	4.1	48
6/20/03	8.5	3.5	32
9/12/03	8.4	6.6	51
12/18/03	6.5	7.5	89

EX-1	PCE	TCE	cb-1,2-DCE
8/28/01	46	<1	<1
11/29/01	69	2.6	1.8
2/25/02	57	5.3	1.4
5/16/02	29	<0.5	<0.5
8/22/02	38	4.3	<0.5
12/3/02	22	19	4.4
3/4/03	71	1.5	<1.0
6/20/03	31	0.94	<0.5
9/12/03	21	1.0	ND-<0.5
12/18/03	13	1.3	<1

RMT-1	PCE	TCE	cb-1,2-DCE
2/22/01	310	15	14
5/22/01	210	21	29
8/28/01	18	7.5	5.6
11/29/01	11	11	2.4
2/25/02	35	11	2.7
5/16/02	35	6.3	<0.5
8/22/02	4.4	6.0	0.98
12/3/02	7.3	9.5	<0.5
3/4/03	2.2	2.0	1.2
6/20/03	3.6	3.8	2.7
9/12/03	5.4	4.1	6.9
12/18/03	6.7	2.9	3.9

EX-2	PCE	TCE	cb-1,2-DCE
8/28/01	180	<12	<12
11/29/01	250	11	2.4
2/25/02	48	9.2	1.8
5/16/02	37	2.3	<0.5
8/10/02	14	2.9	0.55J
12/3/02	8.7	6.5	<0.5
3/4/03	22	6.3	2.3
6/20/03	4.4	6.0	0.98
9/12/03	13	2.4	3.1
12/18/03	6.3	4.9	1.7
12/18/03	20	1.3	3.2

MW-1	PCE	TCE	cb-1,2-DCE
5/22/08	<2	3.2	7.4
2/22/01	83	2.5	6.3
5/22/01	41	3	7.6
8/28/01	3.4	<0.5	3.5
11/29/01	28.1	1.5	3.6
2/25/02	11	2.4	5.2
5/16/02	0.81	1.2	<0.5
8/22/02	<0.5	0.86	1.7
12/3/02	<0.5	<0.5	<0.5
3/4/03	1.7	<1.0	3.0
6/20/03	0.95	0.61	2.4
9/12/03	0.92	0.53	1.6
12/18/03	<1	<1	1.3

MW-2	PCE	TCE	cb-1,2-DCE
5/22/08	2,600	<40	<40
2/22/01	3,100	14	2.5
5/22/01	4,800	14	2.1
8/28/01	600	<12	<12
11/29/01	720	9.1	1.8
2/25/02	39	6.5	1.1
5/16/02	23	3.3	<0.5
8/22/02	0.77	0.65	<0.5
12/3/02	57	5.2	<0.5
3/4/03	40	7.0	1.2
6/20/03	26	7.9	1.8
9/12/03	61	7.5	1.9
12/18/03	26	7.6	2.7

**ENVIRON**

DRAWN BY: JUC    DATE: 11/2009    REVISED:

## Ground Water Investigation

4876, 4880, and 4900 E. Valley Boulevard  
 Los Angeles, California

Fig 2:01 - Project Valley\_Altamira\_CAD\Figures\Figures\Fig 2 - Investigations.dwg [Figure 2]

EXHIBIT M



Linda S. Adams  
Secretary for  
Environmental Protection

# State Water Resources Control Board

## Office of Chief Counsel

1001 I Street, 22<sup>nd</sup> Floor, Sacramento, California 95814  
P.O. Box 100, Sacramento, California 95812-0100  
(916) 341-5161 ♦ FAX (916) 341-5199 ♦ <http://www.waterboards.ca.gov>



Arnold Schwarzenegger  
Governor

June 9, 2010

[via U.S. Mail and email]

Pedram Mazgani, Esq.  
Parker, Milliken, Clark, O'Hara & Samuelian  
555 S. Flower Street, 30th Floor  
Los Angeles, CA 90071-2440  
[pmazgani@pmcos.com](mailto:pmazgani@pmcos.com)

Dear Ms. Mazgani:

PETITION OF LEGGETT & PLANT, INCORPORATED (WATER CODE SECTION 13267  
LETTER DATED JUNE 11, 2008, REQUIRING SUBMITTAL OF A WORK PLAN FOR 4900  
VALLEY BOULEVARD, LOS ANGELES, LOS ANGELES COUNTY), LOS ANGELES WATER  
BOARD: APPROVAL OF REQUEST TO CONTINUE TO BE HELD IN ABEYANCE  
**SWRCB/OCC FILE A-1936**

Pursuant to your request, the State Water Resources Control Board will continue to hold this  
petition in abeyance. We will dismiss it on July 10, 2012, unless we hear from you in the  
meanwhile.

If you have any questions regarding this letter, please contact me at (916) 341-5178.

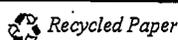
**IN ALL FUTURE CORRESPONDENCE, PLEASE REFER TO  
SWRCB/OCC FILE A-1936**

Sincerely,

Philip G. Wyels  
Assistant Chief Counsel

cc: See next page

*California Environmental Protection Agency*



cc:

[via U.S. Mail only]

Mr. Robert Anderson

Leggett & Platt, Incorporated

Number 1 Leggett Road

P.O. Box 757

Carthage, MO 64836-0757

[via U.S. Mail and email]

Linda L. Northrup, Esq.

Northrup Schlueter

31365 Oak Crest Drive, Suite 250

Westlake Village, CA 91361

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[via U.S. Mail and email]

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Mr. Samuel Unger [via email only]

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Linda S. Adams  
Secretary for  
Environmental Protection

# State Water Resources Control Board

## Office of Chief Counsel

1001 I Street, 22<sup>nd</sup> Floor, Sacramento, California 95814  
P.O. Box 100, Sacramento, California 95812-0100  
(916) 341-5161 ♦ FAX (916) 341-5199 ♦ <http://www.waterboards.ca.gov>



Arnold Schwarzenegger  
Governor

June 9, 2010

**[via U.S. Mail and email]**

Pedram Mazgani, Esq.  
Parker, Milliken, Clark, O'Hara & Samuelian  
555 S. Flower Street, 30th Floor  
Los Angeles, CA 90071-2440  
[pmazgani@pmcos.com](mailto:pmazgani@pmcos.com)

Dear Ms. Mazgani:

PETITION OF LEGGETT & PLATT, INCORPORATED (WATER CODE SECTION 13267 LETTER DATED NOVEMBER 25, 2008, REQUIRING CONDITIONS FOR APPROVED WORK PLAN FOR THE VALLEY ALHAMBRA PROPERTY, 4900 VALLEY BOULEVARD, LOS ANGELES, LOS ANGELES COUNTY), LOS ANGELES WATER BOARD: APPROVAL OF REQUEST TO CONTINUE TO BE HELD IN ABEYANCE  
**SWRCB/OCC FILE A-1981**

Pursuant to your request, the State Water Resources Control Board will continue to hold this petition in abeyance. We will dismiss it on December 24, 2012, unless we hear from you in the meanwhile.

If you have any questions regarding this letter, please contact me at (916) 341-5178.

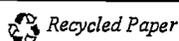
**IN ALL FUTURE CORRESPONDENCE, PLEASE REFER TO  
SWRCB/OCC FILE A-1981**

Sincerely,

Philip G. Wyels  
Assistant Chief Counsel

cc: See next page.

*California Environmental Protection Agency*



cc: **[via U.S. Mail only]**

Mr. Robert Anderson  
Leggett & Platt, Incorporated  
Number 1 Leggett Road  
P.O. Box 757  
Carthage, MO 64836-0757

**[via U.S. Mail and email]**

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**[via U.S. Mail and email]**

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Mr. Samuel Unger **[via email only]**  
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Los Angeles Regional Water Quality  
Control Board  
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Ms. Deborah Smith **[via email only]**  
Assistant Executive Officer  
Los Angeles Regional Water Quality  
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Jennifer L. Fordyce, Esq. **[via email only]**

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Jeffery M. Ogata, Esq. **[via email only]**

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Philip G. Wyels, Esq. **[via email only]**

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EXHIBIT N

**PARKER MILLIKEN**

PARKER, MILLIKEN, CLARK, O'HARA, SAMUELIAN  
A PROFESSIONAL CORPORATION

JOAN C. DONNELLAN

Direct Dial: (213) 683-6638  
E-mail: JDonnellan@PMCOS.COM

September 2, 2010

**Via U.S. Mail & Facsimile [(213) 576-6640]**

Attn: David Young  
California Regional Water Quality Control Board  
320 West Fourth Street, Suite 200  
Los Angeles, California 90013

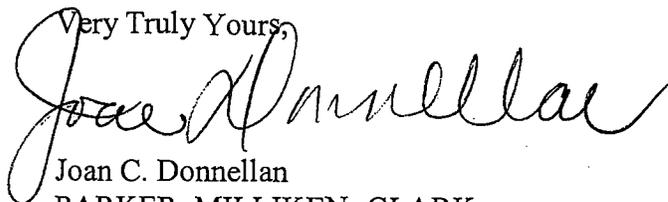
Re: 4900 Valley Alhambra Blvd Site, (SLIC No 0967, Site ID 204DJ00)

Dear Mr. Young:

On September 3, 2010, Leggett & Platt, Incorporated will file a Petition with the State Water Resources Control Board, pursuant to Water Code Section 13320, for review of the California Regional Water Quality Control Board, Los Angeles Region's Section 13267 Order issued to Leggett & Platt Incorporated on August 5, 2010. Pursuant to Title 23 of the California Code of Regulations, Section 2050.5(a), you are requested to file the administrative record, including available tape recordings and transcripts, if any, with the State Water Resources Control Board within thirty (30) days.

Please contact me if you have any questions.

Very Truly Yours,



Joan C. Donnellan  
PARKER, MILLIKEN, CLARK,  
O'HARA & SAMUELIAN

JCD

cc: Ms. Linda Northrup (via facsimile)  
Mr. Gordon Billheimer (via facsimile)  
Ms. Sue Hahn (via hand delivery)

4009-700 (368799)

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