



4.2 ADDITIONAL ENVIRONMENTAL RECORD SOURCES

The following additional sources of readily ascertainable public information for the Site also were reviewed during this Phase I ESA.

4.2.1 City and County Agency File Review

Cornerstone requested available files pertaining to the Site at the following public agencies: the Cupertino Building Department, Santa Clara County Fire Department (FD), and the Santa Clara County Department of Environmental Health (DEH).

The building department files contained a very large volume of records pertaining to the Site that appeared to be related mainly to tenant improvement conducted by occupants of the mall. No records indicative of Recognized Environmental Conditions were readily apparent within the Building Department files; however, due to the large volume of records, only a cursory review was feasible within the time and budget constraints of this Phase I ESA.

The information reviewed at the FD and DEH that pertains to hazardous material use and storage at the Site is summarized in Table 5.

Table 5. File Review Information

Agency Name	Date	Occupant	Remarks
10101 North Wolfe Road			
FD	1969	Sears Auto Center	Building plans depict several features associated with the auto center building including 1) two adjacent 500 gallon new oil USTs and a nearby 1,000 gallon waste oil UST located west of the building, 2) a sump pump in the southwest corner of the building's basement, 3) multiple hydraulic vehicle lifts, 4) a battery storage room with drains leading to a below ground neutralization chamber located east of the building, 5) a below ground sand and grease interceptor located east of the building, 6) grease, oil and transmission fluid distribution piping throughout the interior of the building, 7) an elevator within the southeast portion of the building, and 8) two 10HP air compressors within the northeast corner of the basement.
FD	1986	Sears	A contract dated June 12, 1986 between Sears, Roebuck and Company and K.E. Curtis Construction Company for the removal of a 500 gallon UST. No details regarding the contents or location of the UST were described in the contract.

Table 5 (Continued). File Review Information

Agency Name	Date	Occupant	Remarks
10101 North Wolfe Road			
FD	Various	Sears Auto Center	Hazardous materials inventories indicate that various automotive related hazardous materials were stored on-site included oils, transmission fluid, brake fluid, antifreeze, lead-acid batteries, and refrigerants, among others. These materials were noted to be contained in drums and ASTs. Wastes generated at the site were noted to include waste oil, waste gasoline, used oil filters, used batteries, waste antifreeze, and waste from a below grade oil/water separator, among others.
DEH	1991, 1993, 1999, 2003, 2007 and 2010	Sears Auto Center	<p>Inspection reports noting multiple violations including unlabelled waste containers, open containers, improper recordkeeping, improper management of lead wheel weights, lack of proper training and lack of secondary containment.</p> <p>The presence of an oil/water separator is noted that reportedly was connected to four floor drains within the auto service shop.</p> <p>A spill of hydraulic oil was noted near a dumpster on the west side of the facility in 1991. Cleanup was required. In 1999, an area of etched concrete and chemical residue from "battery acid and neutralizing" was noted outside of a service bay.</p>
FD	1996-1999	Jiffy Lube	Jiffy Lube is noted to have operated within the northern portion of the auto service building between 1996 and 1999. The facility is noted to have used seven ASTs with capacities between 150 and 500 gallons for storage of motor oils, transmission fluid, antifreeze, used oil and used antifreeze.
DEH	2004 and 2007	Sears Auto Center	Chemical inventories. Listed items are generally consistent with FD records summarized above.
FD	2012-2015	Bay Club	Pool treatment chemicals (calcium hypochlorite and muriatic acid) were noted to be stored in a roof-top shed.
10333 North Wolfe Road			
FD	1998-2012	Macy's	Permits and correspondence indicate that a diesel fueled emergency generator with a 75 gallon double walled AST was present on the building roof.
DEH	2004	Macy's	Hazardous waste inventory listing broken and damaged cosmetic products.
DEH	2008	Macy's	Inspection report noting violations including an unlabeled waste drum and lack of proper recordkeeping.
DEH	2014	Macy's	Hazardous waste inventory listing returned/expired cosmetic waste and fragrances.

Table 5 (Continued). File Review Information

Agency Name	Date	Occupant	Remarks
10150 North Wolfe Road			
FD	1998-2012	JC Penney	Inspection reports and chemical inventories document the presence of a diesel fueled emergency generator with a 25 gallon, double walled AST located on the second floor within the eastern portion of the building. Diesel also was noted to be stored within a double contained 55-gallon drum in 1998. Refrigerants (Freon 11), cooling water treatment products (corrosion inhibitors), miscellaneous maintenance and custodial products, and paints also were noted to be present.
DEH	2012 and 2016	JC Penney	Chemical inventories listing diesel fuel (150 gallons), along with unspecified corrosives, aerosols, flammables, oxidizers, paints and maintenance products, among others. Waste bulbs, batteries and non-PCB ballasts were noted to be generated.
10123 North Wolfe Road			
FD and DEH	1991-2016	Vallco	Permits, inspection reports and chemical inventories document the presence of a diesel fueled emergency generator with a 170 gallon, double walled AST located in a generator room.
DEH	1992, 1993, 1996, 1999 and 2001	Expressly Portraits	Inspection reports indicate that the facility generated waste photo processing chemicals. Violations associated with recordkeeping, training and container labeling were noted.
FD	1993-2008	Ice Chalet	Chemical inventories document the presence of Freon 22 (10,000 cubic feet) and refrigerant oil (600 gallons).
FD	1993-2001	Kits Cameras/Ritz Cameras/Expressly Portraits	Chemical inventories document the presence photo processing chemicals (fixers, stabilizers and developers, etc.).
DEH	2003	The Picture People	Inspection report and correspondence indicate that the facility generated waste photo processing chemicals (705 gallons in 2003). Violations associated with recordkeeping were noted.
DEH	2014	Vallco Mall	Various correspondence indicate that a fire in an elevator pump room on the third floor was extinguished by sprinklers and resulted in oily water being discharged in the vicinity of the pump room and to underlying areas on the second and first floors. It was reported that no impacts to soil or storm drains occurred, and that the release was cleaned up by a restoration contractor.

Table 7 (Continued). Summary of Readily Observable Site Features

General Observation	Comments
Hoods and Ducting	Not Observed
Hydraulic Lifts	Observed as described above
Incinerator	Not Observed
Petroleum Pipelines	Not Observed
Petroleum Wells	Not Observed
Ponds or Streams	Not Observed
Railroad Lines	Not Observed
Row Crops or Orchards	Not Observed
Stockpiles of Soil or Debris	Not Observed
Sumps or Clarifiers	Observed as described above
Transformers	Observed as described above
Underground Storage Tanks	Possible waste oil UST at Sears Automotive Center
Vehicle Maintenance Areas	Observed as described above
Vehicle Wash Areas	Not Observed
Wastewater Neutralization Systems	Observed as described above

The comment "Not Observed" does not warrant that these features are not present on-Site; it only indicates that these features were not readily observed during the Site visit.

(Cornerstone Earth Group, pp. 8-15, PDF 12-19)



Photograph 5. Elevator equipment with hydraulic fluid in drip pan.



Photograph 6. One of three on-site emergency generators.



Photograph 7. Interior of Cupertino Ice Center.



Photograph 8. Refrigeration equipment at Cupertino Ice Center.



Photograph 11. Oily water on floor of mechanical room at Cupertino Ice Center.



Photograph 12. Typical trash compactor and associated hydraulic fluid AST.



Photograph 13. Pool chemicals stored in stairwell at Bay Club.



Photograph 14. Vallco facility maintenance storage room.



Photograph 15. Sears Automotive Center (SAC) building.



Photograph 16. Interior of SAC building.



Photograph 17. Staining on floor of battery room at SAC.



Photograph 18. Former hydraulic lifts (filled with concrete) at SAC.



Photograph 19. Remnant distribution piping and staining on floor in basement at SAC.



Photograph 20. Staining on floor near drain at former compressor location in basement at SAC.



Photograph 21. Waste oil drain in floor slab, capped drain pipe in wall and wall staining in basement at SAC.



Photograph 22. Remnant hydraulic lift piping (unpainted) in basement at SAC.



Photograph 23. Concrete access cover (near storm drain) at the suspected waste oil UST location at SAC.



Photograph 24. Steel cover of acid neutralization chamber adjacent to battery room at SAC.



Photograph 25. Steel covers to oil/water separator at SAC.



Photograph 26. Former auto service area at JC Penney.



Photograph 27. Former hydraulic lift filled with pea gravel at JC Penney.



Photograph 28. Secondary containment area at JC Penney.



SECTION 8: ENVIRONMENTAL QUESTIONNAIRE AND INTERVIEWS

8.1 ENVIRONMENTAL QUESTIONNAIRE / OWNER INTERVIEW

To help obtain information on current and historical Site use and use/storage of hazardous materials on-Site, we provided environmental questionnaires to each of the three property owners. A completed questionnaire was obtained from Simeon/Wolfe Properties pertaining to parcel APN 316-20-088; a copy is attached in Appendix D. Based on our review of the completed questionnaire, Wolfe Properties LLC purchased the parcel in 2012. It reportedly was historically used as an overflow parking lot associated with Vallco Shopping Mall. Since 2015, Apple, Inc. reportedly has been using the parcel for construction storage purposes. No information indicative of Recognized Environmental Conditions was noted. A completed questionnaire was not received from KCR Development pertaining to APN 316-20-092. Based on other data reviewed by Cornerstone, the parcel owned by KCR historically was used for agricultural purposes and subsequently used as an overflow parking lot associated with Vallco Shopping Mall (similar to the Simeon/Wolfe Properties parcel).

Sand Hill Property Company did not complete the provided questionnaire; however, they referred Cornerstone to the previously completed reports listed in Table 3 and provided copies of each. They also provided access to the Site and contact information for Mr. Mike Rohde, General Manager of Vallco Shopping Mall, who was briefly interviewed during our Site visit.

8.2 INTERVIEWS WITH PREVIOUS OWNERS AND OCCUPANTS

Contact information for previous Site owners and occupants was not provided to us. Therefore, interviews with previous Site owners and occupants could not be performed.

SECTION 9: FINDINGS, OPINIONS AND CONCLUSIONS (WITH RECOMMENDATIONS)

Cornerstone performed this Phase I ESA in general accordance with ASTM E1527-13 to support David J. Powers & Associates in evaluation of Recognized Environmental Conditions. Our findings, opinions and conclusions are summarized below.

9.1 HISTORICAL SITE USAGE

Based on the information obtained during this study, the Site historically was used for agricultural purposes (orchards and row crops), and what appears to have been a residence with several associated outbuildings were present on the southeast portion of the Site. A Sears retail store and a separate automotive center building, with an associated gasoline station, were constructed on-Site in approximately 1970. The other currently existing Vallco mall structures were constructed between approximately 1974 and 1979, and include structures formerly occupied by other anchor tenants (Macys and JC Penney) and two detached on-Site buildings located north of the shopping mall that were occupied by restaurants (TGI Fridays and Alexander's Steakhouse). JC Penney operated an automotive repair facility on the eastern side of their building until approximately 1985.

Where Did Each ESA Collect Their Info From?

WSP 2014 ESA:

PHASE I ENVIRONMENTAL SITE ASSESSMENT

Vallco Fashion Mall

10123 North Wolfe Road, Cupertino, California 95014

Prepared at the Request of Sand Hill Property Company

January 7, 2014

Client

Sand Hill Property Company

203 Redwood Shores Parkway, Suite 200

Redwood City, CA 94065

Consultant

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San Jose, CA 95110

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WSP Contacts

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4.3 Review of Local Records

WSP contacted the Santa Clara County Fire Department for information on any aboveground or underground storage tanks, hazardous waste storage, inspections, and plans associated with the mall property. According to the Santa Clara County Fire Department, no records were found.

WSP contacted the Santa Clara Valley Water District (SCVWD) for information on underground storage tanks and solvent and toxic releases affecting groundwater. The SCVWD is no longer the lead agency for solvent releases or underground storage contamination. They referred WSP to the Geotracker and Envirostor websites for this information.

WSP also reviewed the State Water Resources Control Board Geotracker online system, which identifies pollution sites in the vicinity of the subject property. Other than the closed cases for the Sears and J.C Penney LUSTs, no pollution sites were identified for the subject Mall property.

WSP also reviewed the State Department of Toxic Substances Control Envirostor online system, which identifies sites that have known contamination of sites for which there may be reasons to investigate further and sites that are authorized to treat, store, dispose, or transfer hazardous waste. No contaminated sites were identified for the subject property.

WSP also reviewed the Santa Clara County Department of Environmental Health website to determine whether any hazardous substances incidents have been reported for the subject property. According to the website, no incidents have been reported.

WSP contacted the Cupertino Planning Division for information on records of environmental permits, above or underground storage tanks, complaints, violations, or incidents and is awaiting a response.

WSP contacted the Cupertino Building Division for information on records of environmental permits, above or underground storage tanks, complaints, violations, or incidents. According to the Cupertino Building Department, Public Works received on citizen complaint on February 8, 2012 regarding a

8 References

California State Water Resources Control. Board Geotracker Database. 2013. Geotracker Lookup System.

Environmental Data Resources, Inc. 2013. The EDR Aerial Photo Decade Package. Inquiry Number: 3792727.5-1, 5-2, 5-3, 5-4, 5-5, and 5-6. November 25.

Environmental Data Resources, Inc. 2013. The EDR City Directory Abstract. Inquiry Number: 37927276. November 25.

Environmental Data Resources, Inc. 2013. The EDR Historical Topographic Map Report. Inquiry Number: 3792727.4-1. November 21. .

Environmental Data Resources, Inc. 2013. The EDR Environmental Lien and AUL Search. Inquiry Number: 37927277. November 22.

Environmental Data Resources, Inc. 2013. The EDR Radius Map with GeoCheck. Inquiry Number: 3792727_2s. November 21.

Environmental Data Resources, Inc. 2013. Sanborn® Map Report. Inquiry Number: 3792727-3. November 21.

Environmental Data Resources, Inc. 2013. EDR Property Tax Map Report. Inquiry Number: 37927278. November 21.

Environmental Data Resources, Inc. 2013. EDR Building Permit Report. Inquiry Number: 379272711. November 21.

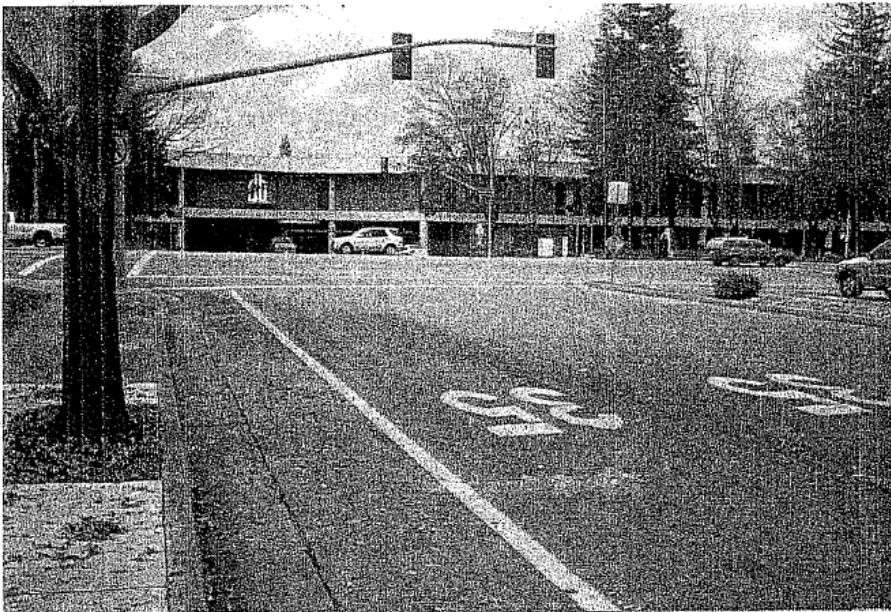
U.S. Environmental Protection Agency. 2013. Envirofacts Online Database Search.

U.S. Geological Survey. 1997. Cupertino, California, Quadrangle, 7.5 Minute Series (Topographic). Scale 1:24,000.

UBS Warburg

**PHASE I
ENVIRONMENTAL SITE ASSESSMENT**

**Valco Fashion Park
10123 North Wolfe Road
Cupertino, California 95014**



555 First Street, Suite 303
Benicia, California, 94510
(707) 748-3170 / Fax (707) 748-3171

Ceres Associates Project CA989-1
March 21, 2003

3.0 INTERVIEWS, RECORDS, AND HISTORICAL REVIEW

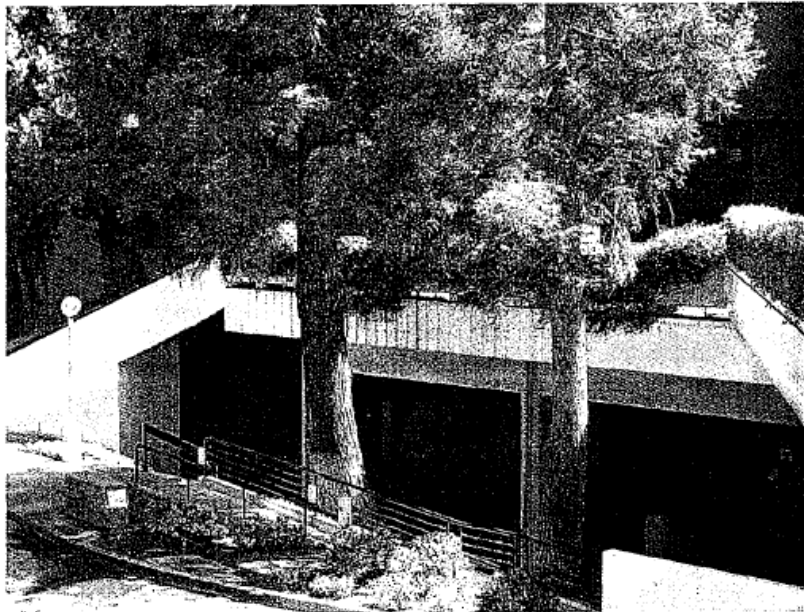
3.1 INTERVIEWS AND REGULATORY CONTACTS

- Ceres Associates interviewed Mike Rhode, General Manager of the Vallco Fashion Park, for information regarding past uses of the Property and the use, storage, or disposal of hazardous materials on the Property. Mr. Rhode stated that there are not aboveground or underground storage tanks on the Property. Mr. Rhode indicated there is a maintenance room on the Property where typical maintenance supplies including paints, stains, and laquers are stored. According to Mr. Rhode, the Property previously generated hazardous waste in the form of waste photo developer. Mr. Rhode stated that landscaping maintenance is performed by an off-site company. Mr. Rhode was unaware of environmental concerns on the Property which might impact the environmental quality of the Property.
- Ceres Associates contacted the Regional Water Quality Control Board with a request to review files for the Property. According to the agency, information for the Property address was not found.
- Ceres Associates contacted the Santa Clara County Environmental Health Department with a request to review files for the Property. According to the agency, information for the Property address was not found.
- Ceres Associates contacted the Santa Clara County Fire Prevention Department with a request to review files for the Property. According to the agency, hazardous materials or underground storage tank files were not found for the Property address.
- Ceres Associates contacted the Santa Clara County Water District with a request to review files for the Property. According to the agency, information for the Property address was not found.
- Ceres Associates visited the City of Cupertino Building Inspection Department with a request to review the permit history for the Property. A building permit was found for the Property address indicating the Property was developed with the current structure in 1977. Permits were found dated 1987 for additions made to the Property building.

Vallco International Shopping Centers

**PHASE I
ENVIRONMENTAL SITE ASSESSMENT
UPDATE**

Vallco Fashion Mall
10123 North Wolfe Road
Cupertino, California



3.0 INTERVIEWS, RECORDS, AND HISTORICAL REVIEW

3.1 INTERVIEWS AND REGULATORY CONTACTS

- Ceres Associates interviewed Joe Goodwin, the Maintenance Director of the Vallco Fashion Mall for information regarding past uses of the Property and the use, storage, or disposal of hazardous materials on the Property. According to Mr. Goodwin, none of the current tenants use, store or generate hazardous materials or wastes. Mr. Goodwin also told Ceres Associates that the maintenance of the elevators and escalators is done weekly by Kone USA.
- Ceres Associates interviewed Mike Rohdy, The General Manager for Vallco Fashion Mall. for information regarding past uses of the Property and the use, storage, or disposal of hazardous materials on the Property. Mr. Rohdy provided information regarding various tenants, Property and building area, vacancy rate and asbestos sampling.
- Ceres Associates contacted the Santa Clara Department of Environmental Health with a request to review files for the Property. The agency provided documents related to hazardous waste handling by photo processors that are no longer on the Property (*refer to Appendix C - Regulatory Documents and Other Reports*).
- Ceres Associates contacted the Santa Clara Water District with a request to review files for the Property. According to the agency, files for the Property address were not found.
- Ceres Associates contacted the San Francisco Bay Region Water Quality Control Board with a request to review files for the Property. According to the agency, files for the Property address were not found.

3.2 ENVIRONMENTAL DATABASE REPORT

Environmental FirstSearch, Inc., provided a list of sites within designated distances of the Property that are listed by regulatory agencies. Environmental FirstSearch has also provided a map of these sites, which can be found in Appendix D - Environmental Database Report.

The environmental database report lists four **STATE** sites and two **NPL** sites between ½ and 1 mile of the Property. Between ¼ and ½ mile of the Property the database report lists six **LUST** sites. The report also lists five **LUST** sites, four **UST** sites, and two **RCRAGN** sites between ⅛ and ¼ mile of the Property. Within ⅛ mile of the Property the environmental database lists five **LUST** sites, four **UST** sites, five **RCRAGN** sites, one **ERNS** site, one **SPILLS** site, and one **NFRAP** site.

