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Bank of America Realty Finance, Inc.

Five-Year Evaluation Report of Remedial Actions

Former Mercury Dry Cleaners Facility

2714 Pinole Valley Road, Pinole, California

December 11, 2012

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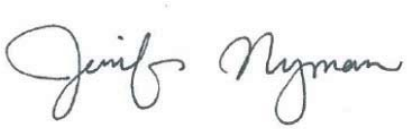

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Five-Year Evaluation Report of Remedial Actions

Former Mercury Dry Cleaners Facility, 2714 Pinole Valley Road, Pinole, California

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Executive Summary

This report documents the five-year evaluation of the remedial actions that took place at the Former Mercury Dry Cleaners Facility, located at 2714 Pinole Valley Road, Pinole, California ("the Site"). The five–year review process evaluates whether the remedial measures implemented at the Site are protective of human health and the environment. This report was prepared in response to a request from the Department of Toxic Substances Control (DTSC) in an email message to Mr. Randy Muller of the Bank of America Realty Finance, Inc. (BARFI), dated April 24, 2012.

To address volatile organic compounds (VOCs) detected in soil and groundwater samples collected at the Site, BARFI completed multiple phases of remediation, including:

- Two phases of injection of potassium permanganate into shallow groundwater (November 2000 and February 2001).
- Excavation and removal of approximately 340 cubic yards (461 tons) of VOC-affected soil in the area of the Site where the release of VOCs occurred (July 2002).
- Two phases of injection of sodium lactate into shallow groundwater (2002 and 2003).
- Assessment and demonstration of natural attenuation of VOCs in groundwater.

The key findings of this five-year review were as follows:

- Historical concentrations of VOCs detected in groundwater samples collected at the Site do not indicate vertical migration.
- Groundwater generally flows to the west.
- VOCs in groundwater are not migrating into Pinole Creek.
- Remedial actions conducted at the Site have been effective to a large extent in reducing concentrations of VOCs in soil and groundwater.
- Natural attenuation of VOCs in groundwater is ongoing and concentrations of residual VOCs are degrading over time.

- Shallow groundwater (less than 50 feet below ground surface) at or near the Site cannot be developed as a drinking water source due to Contra Costa County water supply well construction - well permitting requirements.

The following recommendations have been developed in this five-year review:

- A land use covenant should be established for the Site to prevent the development of groundwater until cleanup goals for groundwater are reached at the Site, and to limit the use of the Site to commercial/industrial uses until soil and soil vapor concentrations meet DTSC requirements for residential land use.
- One more round of semiannual groundwater monitoring and reporting should be conducted at the Site in September 2012.
- The groundwater monitoring and reporting schedule should be revised to biennial (one sample event every other year) with the next groundwater monitoring and reporting event to take place in January 2014.