

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



SENT 10TB 99

M. TUNG T. GRAY.
S. MORSE S. SHAMSZAD
C. CAPPID

D062

ENVIRONMENTAL HEALTH SERVICES

1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
(510) 567-6700
(510) 337-9335 (FAX)

October 12, 1999

Mr. Sasha Shamszad
64 Shattuck Square
Berkeley, California 94704

**Subject: Former Rix Industries - 6460 Hollis Street, Emeryville, CA 94608
(STID # 376)**

Dear Mr. Shamszad:

This agency and the Cal-EPA / San Francisco Bay Regional Water Quality Control Board (RWQCB) have reviewed the revised Long-Term Risk Management Plan (August 1999) prepared and submitted by Geomatrix Consultants for the above referenced site. It is our understanding that the subject property has been split into two parcels; 6460 Hollis Street (proposed for commercial use) covers the portion of the property with an existing building and 1390 Ocean Street (proposed for live/work use) covers the backyard area.

This agency and the RWQCB concur with the general scope of the Risk Management Plan submitted for both parcels and we have no objection to the development of the subject site provided the following conditions are met:

6460 Hollis Street Parcel currently occupied by a vacant building and is intended for commercial use only

- ground floor pavement shall be designed and constructed to prevent potential migration of vapors inside the building
- a deed restriction shall be recorded prior to occupancy of the building and should include compliance with the Long-Term Risk Management Plan
- a copy of the recorded deed should be submitted to both agencies, Cal-EPA / S.F. Bay RWQCB and the Alameda County Department of Environment Health (ACDEH)
- a copy of the site development plan should be submitted to both agencies

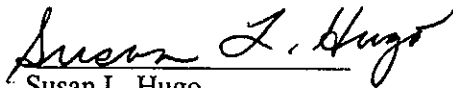
1390 Ocean Street currently a vacant backyard and is proposed to be redeveloped with a new building that includes paved parking on the ground level and live/work space above

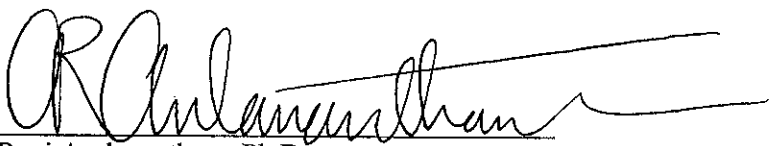
- ground floor pavement shall be designed and constructed to prevent potential migration of vapors into garage areas
- a deed restriction shall be recorded prior to the occupancy of the building and should include compliance with the Long-Term Risk Management Plan
- a copy of the recorded deed should be submitted to both agencies, Cal-EPA / S.F. Bay RWQCB and the Alameda County Department of Environmental Health (ACDEH)
- a copy of the site development plan should be submitted to both agencies

Mr. Sasha Shamszad
RE: 6460 Hollis Street, Emeryville
October 12, 1999
Page 2 of 2

If you have any questions regarding this letter or the subject site, please contact me at (510) 567-6780, e-mail at shugo@co.alameda.ca.us or Ravi Arulanantham at (510) 622- 2308, e-mail at ra@rb2.swrcb.ca.gov.

Sincerely,


Susan L. Hugo
Hazardous Materials Specialist


Ravi Arulanantham, Ph.D.
Staff Toxicologist, Cal-EPA/S.F. Bay RWQCB

c: Mee Ling Tung, Director, Environmental Health Services
Stephen Morse, Chief, Toxics Cleanup Division, San Francisco Bay RWQCB
Claudia Cappio /Ignacio Dayrit, City of Emeryville, 2200 Powell Street, 12th Floor,
Emeryville, CA 94608
Tom Graf, Geomatrix, 2101 Webster Street, 12th Floor, Oakland, CA 94612
SH/RA/files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



RO#62

October 30, 1998

ENVIRONMENTAL HEALTH SERVICES
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
(510) 567-6700
(510) 337-9335 (FAX)

Mr. Frank DeWolfe
4 Captain Drive, # 308 E
Emeryville, California 94608

**Subject: Conditional Closure for the Former Rix Industries (STID # 376)
6460 Hollis Street, Emeryville, California 94608**

Dear Mr. DeWolfe:

This agency and the Cal-EPA / San Francisco Bay Regional Water Quality Control Board (RWQCB) have reviewed the **Soil and Groundwater Sampling Report and Health Risk Assessment**, dated July 1998, prepared and submitted by Geomatrix Consultants for the above referenced site. It is our understanding that there is an on-going property transfer and the potential buyer intends to use the subject site for commercial offices and not for residential use.

The referenced report documented the recent work conducted to address water quality and potential human health risks associated with chlorinated solvents, petroleum hydrocarbons, and heavy metals found in soil and / or groundwater at the site. This agency and the RWQCB have evaluated the data collected to date for the site. Both agencies concur that the site is a low risk soil and groundwater case and the site can be closed with an approved Long - Term Risk Management Plan (RMP). The RMP should include at a minimum the following items:

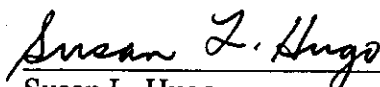
- 1) Assurance that the RMP will be maintained in the future, including a letter outlining the process of deed notification.
- 2) Proof of recordation of the deed notice should be submitted to the RWQCB, City of Emeryville Building and Planning Department and this office.
- 3) Notification of change in land use should be submitted to RWQCB and this agency. A commercial scenario was used for the evaluation of human health risk conducted at the site.
- 4) No vertical conduit should be created between the shallow and deeper aquifer.
- 5) Due to the presence of solvents, petroleum hydrocarbon, and metals in soil and / or groundwater at the site, construction site workers who may handle soil and /or groundwater during future construction activities should take appropriate precautions.
- 6) If soils and groundwater are generated during construction activities at the site, a soil management plan and groundwater management plan should be developed and submitted to this agency.

Mr. Frank DeWolfe
RE: 6460 Hollis Street, Emeryville, CA 94608
October 30, 1998
Page 2 of 2

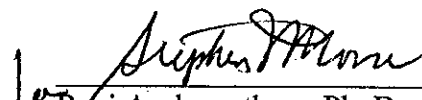
- 7) Any impacted soil not overlain by concrete or asphalt (i.e., landscaped areas) should be covered as part of site development with a minimum cover of 18 inches of clean top soil.

If you have any questions regarding this letter or the subject site, please contact me at (510) 567-6780 or Ravi Arulanantham at (510) 622-2308.

Sincerely,




Susan L. Hugo
Hazardous Materials Specialist



Ravi Arulanantham, Ph. D.
Staff Toxicologist, Cal-EPA/S.F. Bay RWQCB

Concur:



Stephen Morse, P.E., Chief
Toxics Cleanup Division, Cal-EPA/S.F. Bay RWQCB

Cc: Mee Ling Tung, Director, Environmental Health
Richard Pantages, Chief, Hazardous Materials Programs
Tom Graf, Geomatrix, 100 Pine Street, 10th Floor, San Francisco, CA 94111
Ignacio Dayrit, Emeryville Revelopment Agency, 2200 Powell Street, 12th Floor,
Emeryville, CA 94608
Eric Housh, MRE, 5801 Christie Ave., Suite 675, Emeryville, CA 94608
SH / RA / files

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY
DAVID J. KEARS, Agency Director

RO# 62

ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION (LOP)
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
(510) 567-6700
FAX (510) 337-9335

March 25, 1998

Mr. Frank DeWolf
76-6287 Leone Street
Kailua-Kona, Hawaii 96740

**RE: Former Rix Industries – 6460 Hollis Street, Emeryville, CA 94608
STID # 376**

Dear Mr. DeWolf:

This office has reviewed the results of the soil and groundwater investigation conducted on February 21, 1998 by Mr. Steve Bittman of International Geologic, a consultant working for Mr. David Holscher at the above referenced site.

On January 14, 1998, I met with Mr. David Holscher, Mr. Scott Robinson, and Mr. Steve Bittman to discuss the status of the site investigation and additional work required to obtain site closure. It is my understanding that Mr. David Holscher is a potential buyer of the subject site and Mr. Scott Robinson is a Realtor representing the buyer. During this meeting, we discussed the San Francisco Bay Regional Water Quality Control Board's guidelines for evaluating sites for closure as a low risk groundwater case and the criteria are as follows:

- 1) The leak has been stopped and on-going sources have been removed or remediated.
- 2) The site has been adequately characterized.
- 3) The dissolved hydrocarbon plume is not migrating.
- 4) No water wells, deeper drinking water aquifers, surface water, or other sensitive receptors are likely to be impacted.
- 5) The site presents no significant risk to human health.
- 6) The site presents no significant risk to the environment.

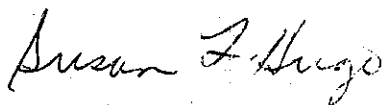
Review of the previous reports submitted to this agency showed that the former ten underground storage tanks (USTs) at the site had been either removed (12/27/94) or closed-in-place (8/4/94). It appeared that source removal (criteria #1 listed above) had been conducted at the site. Three shallow groundwater monitoring wells were installed at the site in July 1992 and all the wells detected concentrations of petroleum hydrocarbons, solvents and volatile organic compounds. Eight groundwater sampling events were conducted since 7/92 and recent sampling of the wells still showed concentrations of contaminants mentioned above.

Based on the issues discussed during the January 1998 meeting and to meet the requirements for conditional site closure, a workplan for subsurface investigation was prepared and submitted by International Geologic for Mr. David Holscher on February 17, 1998. Groundwater samples were collected on February 21, 1998 from two downgradient geoprobe/hydropunch locations on site and from three monitoring wells at the site. The downgradient sampling points (HP-1 & HP-2) showed TPH gasoline (up to 1,500 ppb), TPH diesel (up to 62,000 ppb), TPH kerosene (up to 61,000 ppb), TPH stoddard solvent (up to 860 ppb), TPH motor oil (up to 7,500 ppb) and significant levels of chlorinated solvents. In addition, the three wells detected varying levels of contaminants in the groundwater.

On March 9, 1998, I met with Mr. Dave Holscher, Mr. Scott Robinson and Mr. Steve Bittman to discuss the results of the recent groundwater sampling and the requirements to proceed with conditional closure for the site. The analytical results showed that the groundwater plume has not been adequately characterized. To meet the low risk groundwater case closure, additional downgradient sampling will be required, groundwater monitoring must be performed continuously to show that the plume is stable and /or shrinking, and the residual levels of contaminants in soil and groundwater left at the site must present no significant risk to human health, the environment and other sensitive receptors. A complete analytical results of the recent sampling was requested during the meeting and I received the requested analytical results via facsimile from Mr. Steve Bittman on March 17, 1998. It is also my understanding that a risk assessment has not been completed for the subject site.

This agency will be able to proceed with evaluating the subject site for closure as a low risk groundwater case and issue a conditional closure provided the six criteria are met. If you have any questions concerning this letter or the subject site, please contact me at (510) 567- 6780.

Sincerely,



Susan L. Hugo
Hazardous Materials Specialist

c: Mee Ling Tung, Director, Environmental Health
Dick Pantages, Chief, Environmental Protection Division
Ravi Arulanantham, San Francisco Bay Regional Water Quality Control Board
Chuck Headlee, San Francisco Bay Regional Water Quality Control Board
George Warren, City of Emeryville Fire Dept., 2333 Powell Street, Emeryville, CA 94608
Scott Robinson, Robinson/McNally Real Estate, 911 Parker St., Berkeley, CA 94710
David Holscher, 1025 Carleton Street, Berkeley, CA 94710
Steve Bittman, International Geologic, 2831 Sylhowe Rd., Oakland, CA 94602
Erik Housh, MRE, 5801 Christie Avenue, Suite 675, Emeryville, CA 94608
SH / file

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



R062

RAFAT A. SHAHID, DIRECTOR

November 17, 1995
STID 376

Mr. Frank DeWolfe
76-6287 Leone Street
Kailua - Kona, Hawaii 96740

DEPARTMENT OF ENVIRONMENTAL HEALTH
State Water Resources Control Board
Division of Clean Water Programs
UST Local Oversight Program
1131 Harbor Bay Parkway
Alameda, CA 94502-6577
(510) 567-6700

**Subject: Soil and Groundwater Investigation Associated with the
Former Underground Storage Tanks at Rix Industries Inc.
6460 Hollis Street, Emeryville, California 94608**

Dear Mr. DeWolfe:

Per your request, the Pre Enforcement Review Panel has been rescheduled on December 12, 1995 at this office.

To date, the extent of the contaminant plume related to the former underground storage tanks at the site has not been delineated. The groundwater monitoring well (MW-1) installed by Ryerson Steel upgradient of their property and downgradient of the subject site showed contamination which appeared to be related to the former underground storage tanks removed and/or close in place at Rix Industries. This well was sampled one time to determine if Ryerson Steel is being impacted by off site sources and is not on any active monitoring program. The vertical and lateral extent of the soil and groundwater contamination related to the former tanks must be determined.

In order to not cause any further delay in the investigation, the work plan dated September 1, 1994, prepared and submitted by Hageman-Aguiar, Inc. must be implemented. These wells were requested to be installed no later than June 10, 1995 as stated in a letter dated May 3, 1995 from this office.

Please contact me at (510) 567-6780 if you have any questions concerning this letter.

Sincerely,

Susan L. Hugo

Susan L. Hugo
Senior Hazardous Materials Specialist

MRE
c: Jun Makishima, Interim Director, Environmental Health
Gil Jensen, Alameda County District Attorney's Office
Gordon Coleman, Acting Chief, Environmental Protection / files
Kevin Graves, San Francisco Bay RWQCB
Miles Benedict, MRE, 5801 Christie Avenue, Suite 675
Emeryville, California 94608

ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY, DEPARTMENT OF ENVIRONMENTAL HEALTH, ENVIRONMENTAL PROTECTION DIVISION

In Re The Property Known As:

<u>RIX INDUSTRIES</u>	)	Proof of Service of
<u>6460 Hollis Street</u>	)	Notice of Reset of
<u>Emeryville, California 94608</u>	)	Pre-Enforcement
	)	Review Panel

I Susan L. Hugo, do hereby certify that I served

Mr. Miles Benedict, 5801 Christie Avenue, Suite 675,
Emeryville, California 94608,

with a copy of the attached Notice of Reset of Pre-Enforcement
Review Panel on November 16, 1995
by certified mailer # Z 296 048 469.

Dated: 11/16/95

Susan L. Hugo
(signature)

ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY, DEPARTMENT OF
ENVIRONMENTAL HEALTH, ENVIRONMENTAL PROTECTION DIVISION

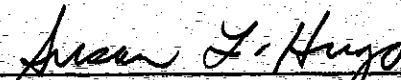
In Re The Property Known As:)
)
 RIX INDUSTRIES) Notice of Reset of
 6460 Hollis Street) Pre-Enforcement
 Emeryville, California) Review Panel

Notice is hereby given that upon the motion of the Alameda County Environmental Protection Division, and the San Francisco Bay Regional Water Quality Control Board a **Review Panel** will convene on December 12, 1995 at 11:15 AM in the office of the Alameda County Environmental Protection Division located at 1131 Harbor Bay Parkway, Room 106, Alameda, California 94602. This **Review Panel** will convene for the purpose of determining responsible parties as well as appropriate closure, site assessment, clean-up and mitigation of contamination at the above location.

The Alameda County Environmental Protection Division, and the San Francisco Bay Regional Water Quality Control Board have named and served notice of this **Review Panel** on the following persons or entities as having proposed responsibility for closure, site assessment, clean-up and mitigation of contamination at the above location, and by this notice all parties named herein are informed of the right to appear and show cause, if any they have, for the exclusion or inclusion of any of the parties served herein from said responsibility or obligations:

1. Mr. Frank DeWolfe
76-6287 Leone Street
Kailua - Kona, Hawaii 96740
2. Mr. Miles Benedict
MRE Commercial Real Estate
5801 Christie Avenue, Suite 675
Emeryville, California 94608

Dated: November 16, 1995


(signature)

ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY, DEPARTMENT OF ENVIRONMENTAL HEALTH, ENVIRONMENTAL PROTECTION DIVISION

In Re The Property Known As:

RIX INDUSTRIES
6460 Hollis Street
Emeryville, California 94608

) Proof of Service of
) Notice of Reset of
) Pre-Enforcement
) Review Panel

I Susan L. Hugo, do hereby certify that I served

Mr. Frank DeWolfe, 76-6287 Leone Street, Kailua - Kona,
Hawaii 96740,

with a copy of the attached Notice of Reset of Pre-Enforcement
Review Panel on November 16, 1995
by certified mailer # Z 296 048 470.

Dated: 11/16/95

Susan L. Hugo
(signature)

ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY, DEPARTMENT OF
ENVIRONMENTAL HEALTH, ENVIRONMENTAL PROTECTION DIVISION

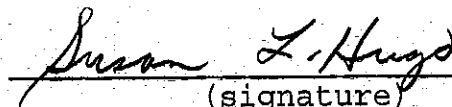
In Re The Property Known As:)
)
) Notice of Reset of
) Pre-Enforcement
 RIX INDUSTRIES)
) Review Panel
 6460 Hollis Street)
)
 Emeryville, California)

Notice is hereby given that upon the motion of the Alameda County Environmental Protection Division, and the San Francisco Bay Regional Water Quality Control Board a **Review Panel** will convene on December 12, 1995 at 11:15 AM in the office of the Alameda County Environmental Protection Division located at 1131 Harbor Bay Parkway, Room 106, Alameda, California 94602. This **Review Panel** will convene for the purpose of determining responsible parties as well as appropriate closure, site assessment, clean-up and mitigation of contamination at the above location.

The Alameda County Environmental Protection Division, and the San Francisco Bay Regional Water Quality Control Board have named and served notice of this **Review Panel** on the following persons or entities as having proposed responsibility for closure, site assessment, clean-up and mitigation of contamination at the above location, and by this notice all parties named herein are informed of the right to appear and show cause, if any they have, for the exclusion or inclusion of any of the parties served herein from said responsibility or obligations:

1. Mr. Frank DeWolfe
76-6287 Leone Street
Kailua - Kona, Hawaii 96740
2. Mr. Miles Benedict
MRE Commercial Real Estate
5801 Christie Avenue, Suite 675
Emeryville, California 94608

Dated: November 16, 1995


(signature)

ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY, DEPARTMENT OF
ENVIRONMENTAL HEALTH, ENVIRONMENTAL PROTECTION DIVISION

In Re The Property Known As:	)	Notice of
	)	Pre-Enforcement
RIX INDUSTRIES	)	Review Panel
6460 Hollis Street)	
Emeryville, California)	

SHD 376

Notice is hereby given that upon the motion of the Alameda County Environmental Protection Division, and the San Francisco Bay Regional Water Quality Control Board a Review Panel will convene on November 22, 1995 at 11:00 AM in the office of the Alameda County Environmental Protection Division located at 1131 Harbor Bay Parkway, Room 106, Alameda, California 94602. This Review Panel will convene for the purpose of determining responsible parties as well as appropriate closure, site assessment, clean-up and mitigation of contamination at the above location.

The Alameda County Environmental Protection Division, and the San Francisco Bay Regional Water Quality Control Board have named and served notice of this Review Panel on the following persons or entities as having proposed responsibility for closure, site assessment, clean-up and mitigation of contamination at the above location, and by this notice all parties named herein are informed of the right to appear and show cause, if any they have, for the exclusion or inclusion of any of the parties served herein from said responsibility or obligations:

1. Mr. Frank DeWolfe
Kanadai #3001
78-261 Manukai Street
Kailua - Kona, Hawaii 96740
2. Mr. Miles Benedict
MRE Commercial Real Estate
5801 Christie Avenue, Suite 675
Emeryville, California 94608

Dated: October 16, 1995

Juan L. Hugo

(signature)

ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY, DEPARTMENT OF ENVIRONMENTAL HEALTH, ENVIRONMENTAL PROTECTION DIVISION

In Re The Property Known As:

<u>RIX INDUSTRIES</u>	)	Proof of Service of
<u>6460 Hollis Street</u>	)	Notice of
<u>Emeryville, California 94608</u>	)	Pre-Enforcement
	)	Review Panel

I Susan L. Hugo, do hereby certify that I served Mr. Frank DeWolfe with a copy of the attached Notice of Pre-Enforcement Review Panel on October 16, 1995 by certified mailer # Z 296 048 442.

Dated: 10/16/95

Susan L. Hugo
(signature)

ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY, DEPARTMENT OF ENVIRONMENTAL HEALTH, ENVIRONMENTAL PROTECTION DIVISION

In Re The Property Known As:

RIX INDUSTRIES
6460 Hollis Street
Emeryville, California 94608

) Proof of Service of
) Notice of
) Pre-Enforcement
) Review Panel

I Susan L. Hugo, do hereby certify that I served Mr. Miles Benedict with a copy of the attached Notice of Pre-Enforcement Review Panel on October 16, 1995 by certified mailer # Z 296 048 443.

Dated: 10/16/95

Susan L. Hugo
(signature)

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



RO62

RAFAT A. SHAHID, DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH
State Water Resources Control Board
Division of Clean Water Programs
UST Local Oversight Program
1131 Harbor Bay Parkway
Alameda, CA 94502-6577
(510) 567-6700

May 3, 1995
STID 376

Mr. Frank DeWolfe
Kanaida #3001
78-261 Manukai Street
Kailua - Kona, Hawaii 96740

**Subject: Underground Storage Tank Removals at
Rix Industries Inc.
6460 Hollis Street, Emeryville, California 94608**

Dear Mr. DeWolfe:

This letter confirms the closure of ten underground storage tanks at the referenced site. Five underground storage tanks (1 -2,000 gallon solvent and 4 -1,000 gallon solvent) located inside the building were closed in-place on August 4, 1994 and five underground storage tanks (1 -2,000 gallon and 4 -1,000 gallon) located outside the building (in the work & test area) were removed in December 27, 1994. These tanks were removed and/or closed in-place under our department's oversight.

On June 27, 1992, three shallow groundwater monitoring wells (MW-1, MW-2 and MW-3) were installed at the subject site. Soil samples collected from the borings showed contamination as high as 1,800 ppm TPH gasoline, 3,000 ppm TPH diesel, 2,400 ppm kerosene, 2,100 ppm mineral spirits, 41 ppm methyl ethyl ketone, 4.9 ppm methyl isobutyl ketone, 720 ppb dichloroethene, 31,000 ppb tetrachloroethene, 420 ppb trichloroethene, 96 ppb benzene, 19,000 ppb toluene, 960 ppb ethyl benzene and 8,000 ppb xylene. Groundwater samples collected from the wells found contaminants up to 9,300 ppb TPH gasoline, 20,000 ppb TPH diesel, 20,000 ppb kerosene, 21,000 ppb mineral spirits, 3.8 ppb benzene, 3,600 ppb toluene, 69 ppb ethyl benzene 1,880 ppb xylene, 28 ppb oil & grease, 980 ppb carbon tetrachloride, 480 ppb dichloroethane, 630 ppb dichloroethene, 2,200 ppb tetrachloroethene, 81 ppb trichloroethane, 300 ppb trichloroethene and 46 ppb vinyl chloride.

Physical evidence collected during the tanks' removal (apparent holes in some of the tanks, corrosion, etc.) indicates that the former tanks had leaked at the site. Further site characterization and investigation is required to determine the vertical and lateral extent of the contamination at the subject property.

Mr. Frank DeWolfe
Re: 6460 Hollis St., Emeryville, CA 94608
May 3, 1995

A Phase II Work Plan dated September 1, 1994, prepared and submitted by Hageman-Aguiar, Inc., proposed three additional wells to be installed by February, 1995. To date, this office has not received any report documenting the installation of the wells. Please clarify if the wells were actually installed. If not, these wells must be installed **no later than June 10, 1995.**

Until cleanup is complete, you will need to submit reports to this office every three months (or at a more frequent interval, if specified at any time by this agency). In addition, the following items must be incorporated in your future reports or workplans:

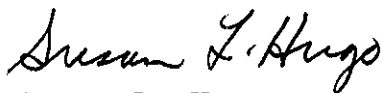
- a cover letter from the responsible party or tank owner stating the accuracy of the report and whether he/she concurs with the conclusions and recommendations in the report or workplan
- site map delineating contamination contours for soil and groundwater based on recent data should be included and the status of the investigation and cleanup must be identified
- proposed continuing or next phase of investigation / cleanup activities must be included to inform this department of the responsible party or tank owner's intention
- any changes in the groundwater flow direction and gradient based on the measured data since the last sampling event must be explained
- historical records of groundwater level in each well must be tabulated to indicate the fluctuation in water levels
- tabulate analytical results from all previous sampling events; provide laboratory reports (including quality control/quality assurance) and chain of custody documentation

All reports and proposals must be submitted under seal of a California Registered Geologist or Registered Civil Engineer with a statement of qualifications for each lead professionals involved with the project.

Mr. Frank DeWolfe
Re: 6460 Hollis St., Emeryville, CA 94608
May 3, 1995

Please contact me at (510) 567-6780 if you have any questions concerning this letter.

Sincerely,



Susan L. Hugo
Senior Hazardous Materials Specialist

cc: Rafat A. Shahid, Director, Environmental Health
Gil Jensen, Alameda County District Attorney's Office
William Reynolds, Acting Chief, Environmental Protection
Division / files
Kevin Graves, San Francisco Bay RWQCB
Bruce Hageman, Hageman-Aguiar, Inc., 3732 Mt. Diablo Blvd.,
Suite 372, Lafayette, California, 94549
Miles Benedict, MRE, 5801 Christie Avenue, Suite 675
Emeryville, California 94608

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



R062

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

May 24, 1994
STID# 376

DEPARTMENT OF ENVIRONMENTAL HEALTH
State Water Resources Control Board
Division of Clean Water Programs
UST Local Oversight Program
80 Swan Way, Rm 200
Oakland, CA 94621
(510) 271-4530

Mr. Frank Dewolf
Kanaida #3001
78-261 Manukai Street
Kailua - Kona, HI 96740

**RE: RIX Industries
6460 Hollis Street, Emeryville, California 94608**

Dear Mr. Dewolf:

The Alameda County Department of Environmental Health, Hazardous Materials Division has reviewed the Proposed Work Plan for Subsurface Investigation (April 1, 1994) and the Underground Tank Closure Plan submitted by Hageman-Aguiar for the referenced site.

Based on this review, the proposed work plan and the closure plan for the ten underground storage tanks are acceptable to this department and must be implemented in a timely fashion.

Please notify this office at least 72 hours in advance for the start up of the work plan implementation and closure of the tanks so a site visit can be arranged by a representative from this office.

Until cleanup is complete, you will need to submit reports to this office **every three months** (or at a more frequent interval, if specified at any time by this agency). In addition, the following items must be incorporated in your future reports or workplans:

- * cover letter from the responsible party or tank owner stating the accuracy of the report and whether he/she concurs with the conclusions and recommendations in the report or workplan
- * site map delineating contamination contours for soil and groundwater based on recent data should be included and the status of the investigation and cleanup must be identified
- * proposed continuing or next phase of investigation / cleanup activities must be included to inform this department of the responsible party or tank owner's intention
- * any changes in the groundwater flow direction and gradient based on the measured data since the last sampling event must be explained
- * historical records of groundwater level in each well must be tabulated to indicate the fluctuation in water levels

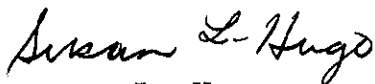
Mr. Frank DeWolf
RE: 6460 Hollis Street, Emeryville, CA 94608
May 24, 1994
Page 2 of 2

- * tabulate analytical results from all previous sampling events;
provide laboratory reports (including quality control/quality assurance) and chain of custody documentation

All reports and proposals must be submitted under seal of a California Registered Geologist or Registered Civil Engineer with a statement of qualifications for each lead professionals involved with the project.

Please contact me at (510) 271-4530 if you have any questions concerning this letter.

Sincerely,



Susan L. Hugo
Senior Hazardous Materials Specialist

cc: Rafat A. Shahid, Asst. Agency Director, Environmental Health
Kevin Graves, San Francisco Bay RWQCB
Gil Jensen, Alameda County District Attorney's Office
Edgar B. Howell, Chief, Hazardous Materials Division / files
Mr. Miles Benedict, 5801 Christie Ave., Suite 675
Emeryville, CA 94608
Mr. Bruce Hageman, Hageman-Aguiar, 3732 Mt. Diablo Blvd.
Suite #372, Lafayette, CA 94549
Mr. Dave Silva, Rix Industries, 6460 Hollis Street,
Emeryville, CA 94608

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY



DAVID J. KEARS, Agency Director

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

Certified Mail# P 386 338 487

DEPARTMENT OF ENVIRONMENTAL HEALTH
State Water Resources Control Board
Division of Clean Water Programs
UST Local Oversight Program
80 Swan Way, Rm 200
Oakland, CA 94621
(510) 271-4530

February 17, 1994
STID# 376

Mr. Frank Dewolf
Kanaida #3001
78-261 Manukai Street
Kailua - Kona, HI 96740

RE: **RIX Industries**
6460 Hollis Street, Emeryville, California 94608

Dear Mr. Dewolf:

The Alameda County Department of Environmental Health, Hazardous Materials Division has reviewed the files concerning the investigation of unauthorized release associated with the underground storage tanks at the referenced site. This office is in receipt and has completed its review of the "Report of Soil and Groundwater Investigation" dated July 24, 1992 submitted by Hageman-Aguiar, Inc. for the referenced site.

Based on this review, the following issues listed below must be addressed:

- 1) Ten underground storage tanks (between 500 - 1000 gallons) in capacity are currently on site. These tanks were used by Sterling Paints, the property owner prior to 1972, as stated in the November 21, 1991 letter submitted by Hageman-Aguiar. It appears that these tanks have not been used since Rix Industries (current tenant) occupied the referenced site. Rix Industries became aware of the presence of these tanks in 1989 as stated in the same letter (11/21/91) from Hageman-Aguiar. **These tanks are subject to permanent closure requirements** as stated in Title 23 of the California Code of Regulations Section 2670 (c). These tanks in which the storage of hazardous substances have ceased and the tanks will not be used, or are not intended for use to store hazardous substances within the next twelve consecutive months must be removed. The tanks must be properly closed as required by Section 25298, Chapter 6.7 of the of California Health and Safety Code. It appears that the issue of tank closures has dragged on since 1991. This department, in a letter dated 5/6/92, approved the proposed closure in place of the five underground storage tanks inside the building and requested submittal of closure plan for the physical removal of the other five underground storage tanks located in the service area. A correspondence from this agency dated 5/28/92 clarified issues concerning in place closure stated in

Mr. Frank Dewolf
RE: 6460 Hollis Street, Emeryville, CA 94608
February 17, 1994
Page 2 of 3

Mr. Bruce Hageman's letter of 5/14/92. A **Final Notice of Violation** dated October 14, 1993 from this department was forwarded to you and Mr. Miles Benedict (your representative) notifying you to either apply for a permit or submit a tank closure plan. We received your facsimile letter (10/21/93) responding that the 10 tanks will be removed upon the departure of your tenant, Rix Industries. This proposal is **not acceptable**. The permanent closure of the tanks must occur within **60 days** from the date of this letter.

- 2) An unauthorized release occurred at the site. The results of the groundwater samples collected from the three monitoring wells (MW-1, MW-2 and MW-3) detected contaminant concentration up to 9,300 ppb TPH gasoline; 20,000 ppb TPH diesel; 20,000 ppb kerosene; 21,000 ppb mineral spirits; 3.8 ppb benzene; 3,600 ppb toluene; 69 ppb ethyl benzene; 1,880 ppb xylene; 28 ppb TOG; 980 ppb carbon tetrachloride; 36 ppb 1,1 dichloroethane; 450 ppb 1,2 dichloroethane; 630 ppb dichloroethene; 2,200 ppb tetrachloroethene; 81 ppb trichloroethane; 300 ppb trichloroethene; 46 ppb vinyl chloride. The three wells were installed in June 27, 1992 to demonstrate that no unauthorized release occurred and abandonment of tanks in place can proceed. Clearly, the referenced site has experienced a leak. Enclosed a copy of the " Underground Storage Tank Unauthorized Release (Leak)/ Contamination Site Report" which must be completed and submitted to this office **within five working days** upon receipt of this letter.
- 3) A workplan must be submitted to determine the vertical and horizontal extent of soil and/or groundwater contamination at the referenced site. Soil and groundwater samples must be analyzed for all constituents of the previously stored hazardous substances and their breakdown or transformation products. A time schedule for all phases of the investigation and remediation activities must be included.
- 4) Groundwater monitoring wells must be sampled every quarter and analyzed for target compounds. Groundwater elevation readings must be incorporated in the quarterly monitoring program. All monitoring wells must be surveyed to an accuracy of 0.01 foot and referenced to mean sea level (MSL). The quarterly monitoring program must be implemented in a timely fashion due to the extent of contamination found at the site.

Response to items #1, #3 and #4 must be submitted to this office **no later than March 21, 1994**.

Mr. Frank Dewolf
RE: 6460 Hollis Street, Emeryville, CA 94608
February 17, 1994
Page 3 of 3

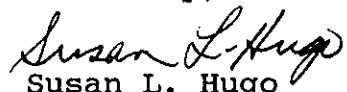
Until cleanup is complete, you will need to submit reports to this office **every three months** (or at a more frequent interval, if specified at any time by this agency). In addition, the following items must be incorporated in your future reports or workplans:

- * cover letter from the responsible party or tank owner stating the accuracy of the report and whether he/she concurs with the conclusions and recommendations in the report or workplan
- * site map delineating contamination contours for soil and groundwater based on recent data should be included and the status of the investigation and cleanup must be identified
- * proposed continuing or next phase of investigation / cleanup activities must be included to inform this department of the responsible party or tank owner's intention
- * any changes in the groundwater flow direction and gradient based on the measured data since the last sampling event must be explained
- * historical records of groundwater level in each well must be tabulated to indicate the fluctuation in water levels
- * tabulate analytical results from all previous sampling events; provide laboratory reports (including quality control/quality assurance) and chain of custody documentation

All reports and proposals must be submitted under seal of a California Registered Geologist or Registered Civil Engineer with a statement of qualifications for each lead professionals involved with the project.

Please contact me at (510) 271-4530 if you have any questions concerning this letter.

Sincerely,



Susan L. Hugo
Senior Hazardous Materials Specialist

Enclosure

cc: Rafat A. Shahid, Asst. Agency Director, Environmental Health
Rich Hiett, San Francisco Bay RWQCB
Gil Jensen, Alameda County District Attorney's Office
Edgar B. Howell, Chief, Hazardous Materials Division / files
Mr. Miles Benedict, 5801 Christie Ave., Suite 675
Emeryville, CA 94608
Mr. Bruce Hageman, Hageman-Aguiar, 3732 Mt. Diablo Blvd.
Suite #372, Lafayette, CA 94549

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R062

RAFAT A. SHAHID, Assistant Agency Director

October 14, 1993

Certified Mailer# P 113 815 257

Mr. Frank De Wolfe
75-5870 Kahakai Ave.,
Kailua, Kona, HI 96740

Certified Mailer# P113 815 256

Mr. Miles Benedict
5801 Christie Ave., Suite 675
Emeryville, CA 94608

DEPARTMENT OF ENVIRONMENTAL HEALTH
Hazardous Materials Division
80 Swan Way, Rm. 200
Oakland, CA 94621
(510) 271-4320

Re: 6460 Hollis St., Emeryville, CA 94608

FINAL NOTICE OF VIOLATION

Dear Mr. DeWolfe & Mr. Benedict:

Our records indicate that there are underground storage tanks at the above facility. You were notified of this situation several years ago and again in August of this year. You have not taken the appropriate action as described.

In accordance with the California Code of Regulations, Title 23, Chapter 3, Subchapter 16, of the Underground Tank Regulations, you must perform the following actions:

- 1) Submit a tank closure plan to this department as required by Article 7, Section 2670, or,
- 2) Apply for a permit as required by Article 10, Section 2710.

You are directed to notify this department within ten (10) days of your intentions and to obtain the necessary instructions and forms. If no action is forthcoming the case will be referred to the Alameda County District Attorneys Office for further action.

Please note that Section 25299 of the California Health & Safety Code states that any operator or owner of an underground storage tank is liable for a civil penalty of not less than five hundred dollars nor more than five thousand dollars **per day** for failure to obtain a permit, or failure to properly close an underground storage tank, as required by Section 25298.

If you have any questions concerning this matter, please contact this office, at (510) 271-4320.

Sincerely,

Brian P. Oliva, REHS, REA
Hazardous Materials Specialist

cc: Gilbert Jensen, Alameda County Deputy District Attorney.

65

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, Assistant Agency Director

RO62

Certified Mail #p 418 724 598

August 17, 1993

DEPARTMENT OF ENVIRONMENTAL HEALTH
Hazardous Materials Division
80 Swan Way, Rm. 200
Oakland, CA 94621
(510) 271-4320

Mr. Miles Benedict
5801 Christie Ave., Suite 675
Emeryville, CA 94608

**Re: FIVE-YEAR PERMITS FOR OPERATION OF EIGHT
UNDERGROUND STORAGE TANKS (UST's) AT
6460 Hollis St., Emeryville, CA 94608**

According to our records the above mentioned facility has not received a five-year permit to operate UST's. Please complete the following items marked below and return them to me within 30 days. The example plans enclosed should be used only as guidelines and may not meet your requirements under Title 23.

- ✓ 1. Complete UST PERMIT FORM A - one per facility. (enclosed)
- ✓ 2. Complete UST PERMIT FORM B - one per tank. (enclosed)
- ✓ 3. Complete UST PERMIT FORM C - one per tank if information is available. (enclosed)
- ✓ 4. A written tank monitoring plan. (enclosed)
- ✓ 5. Results of precision tank test(s) (initial and annual).
- ✓ 6. Results of precision pipeline leak detector tests (initial and annual).
- ✓ 7. An accurate and complete plot plan. (enclosed)
- ✓ 8. A written spill response plan. (enclosed)

Title 23 of the California Code of Regulation prohibits the operation of ANY UST without a permit. Please feel free to contact Brian P. Oliva, REHS at 510/271-4320 if you have any questions which may arise in completing the mandatory five year permit process.

Sincerely,

Brian P. Oliva, REHS
Hazardous Materials Specialist

cc: Ed Howell/files
Frank De Wolfe, 75-5870 Kahakai Rd., Kailua Kona, Hi 96740

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, Assistant Agency Director

R062

Certified Mail # P 113 815 263

August 5, 1993

DEPARTMENT OF ENVIRONMENTAL HEALTH
Hazardous Materials Division
80 Swan Way, Rm. 200
Oakland, CA 94621
(510) 271-4320

Mr. Miles Benedict
5801 Christy Ave.,
Emeryville, CA 94608

Re: **FIVE-YEAR PERMITS FOR OPERATION OF FOUR
UNDERGROUND STORAGE TANKS (UST's) AT
6460 Hollis St., Emeryville, CA 94608**

According to our records the above mentioned facility has not received a five-year permit to operate UST's. Please complete the following items marked below and return them to me within 30 days. The example plans enclosed should be used only as guidelines and may not meet your requirements under Title 23.

- ✓ 1. Complete UST PERMIT FORM A - one per facility. (enclosed)
- ✓ 2. Complete UST PERMIT FORM B - one per tank. (enclosed)
- 3. Complete UST PERMIT FORM C - one per tank if information is available. (enclosed)
- ✓ 4. A written tank monitoring plan. (enclosed)
- ✓ 5. Results of precision tank test(s) (initial and annual).
- ✓ 6. Results of precision pipeline leak detector tests (initial and annual).
- ✓ 7. An accurate and complete plot plan. (enclosed)
- ✓ 8. A written spill response plan. (enclosed)

Title 23 of the California Code of Regulation prohibits the operation of ANY UST without a permit. Please feel free to contact Brian P. Oliva, REHS at 510/271-4320 if you have any questions which may arise in completing the mandatory five year permit process.

Sincerely,

Brian P. Oliva, REHS
Hazardous Materials Specialist

cc: Ed Howell/files

Frank De Wolfe, 75-5870 Kahakai Rd., Kailua Kona, Hi 96740
Certified Mailer #P 113 815 265

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R062

RAFAT A. SHAHID, Assistant Agency Director

May 28, 1992

DEPARTMENT OF ENVIRONMENTAL HEALTH
Hazardous Materials Division
80 Swan Way, Rm. 200
Oakland, CA 94621
(510) 271-4320

Mr. Bruce Hageman
Hageman-Aguiar, Inc.
3732 Mt. Diablo Blvd., Suite 372
Lafayette, California 94549

**RE: Closure of Underground Storage Tanks at Rix Industries
6460 Hollis Street, Emeryville 94608**

Dear Mr. Hageman:

This letter is in response to your letter dated May 14, 1992 and to follow up our May 26, 1992 meeting requesting clarification on specific issues concerning the in-place closure of the underground storage tanks at the referenced site. I will address each item in the order outlined in your letter:

Abandonment of product/vent lines - All pipings associated with the underground storage tanks must be removed and properly disposed of unless removal will damage structures at the site. Pipings that will be closed in-place must be emptied of all contents, rinsed, filled with slurry acceptable to Emeryville Fire Department and capped.

Fire Department permit - The underground storage tanks to be closed in place must be approved by Emeryville Fire Department. The tanks must be filled with inert materials which meet the requirement of Emeryville Fire Department. The response from this department took some time because of the fact that you can not confirm the exact number of tanks at the site. Initially, you applied for permits to close eight tanks (four tanks to be removed and four tanks to be abandoned in place). Currently, we are dealing with ten tanks (five tanks to be removed and five tanks to be abandoned in place).

Soil borings/ groundwater monitoring wells - In order that this department will approve abandonment of tanks in place, you have to demonstrate that no unauthorized release occurred. Slant soil borings must be collected within one foot of the tank. If the depth to groundwater is less than 20 feet, then a groundwater monitoring well must be installed within 10 feet from the tank and/or piping in the verified downgradient direction. Since the tanks are clustered in one area inside the building, you must determine the number of monitoring wells to be installed that will meet the requirements mentioned above.

Mr. Bruce Hageman
RE: 6460 Hollis Street, Emeryville 94608
May 28, 1992
Page 2 of 2

You should be aware that if significant contamination which pose a threat to water quality be discovered at the site, compliance with the reporting requirements must be followed and a plan of correction must be submitted which may modify your proposed closure plan.

Please notify this office at least three days in advance when the soil borings and/or groundwater monitoring well installation will be started to arrange a site visit by a representative from this department.

Should you have any questions concerning this letter, please contact me at (510) 271-4530.

Sincerely,



Susan L. Hugo
Senior Hazardous Materials Specialist

cc: Rafat A. Shahid, Asst. Agency Director, Environmental Health
Gil Jensen, Alameda County District Attorney's Office
Rich Hiett, San Francisco Bay RWQCB
Mr. Frank de Wolfe, Hale Kona Kai 75-5870 Kahakai Road
Kailua Kona, Hawaii 96740
Mr. Miles Benedict, 2807 Telegraph Avenue, Berkeley CA 94705
Files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R062

RAFAT A. SHAHID, Assistant Agency Director

May 6, 1992

DEPARTMENT OF ENVIRONMENTAL HEALTH
Hazardous Materials Division
80 Swan Way, Rm. 200
Oakland, CA 94621
(510) 271-4320

Mr. Frank de Wolfe
Hale Kona Kai 75-5870 Kahakai Rd.
Kailua Kona, Hawaii 96740

RE: Closure of Underground Storage Tanks at Rix Industries
6460 Hollis Street, Emeryville 94608

Dear Mr. de Wolfe:

This letter is in response to the proposal by Hageman-Aguiar, Inc. to close the ten underground storage tanks at the referenced site. I made a site visit on April 2, 1992 and found that five of the underground storage tanks were inside the building and the other five were located outside, in the service area at the back of the facility.

The proposal for abandonment in-place of the five underground tanks inside the building is acceptable to this department provided the following items are addressed:

- * The liquid contents must be removed and properly disposed. Please provide this office with the name of the contractor and the proposed disposal site.
- * All piping associated with the underground storage tanks must be removed and disposed of unless removal might damage structures or other pipes that are being used and that are contained in a common trench, in which case the piping to be closed should be emptied of all contents and capped.
- * The tanks must be filled with inert material per Emeryville Fire Department's requirements. Please provide this office with documentation from Emeryville Fire Department approving the in-place closure of the tanks.
- * A notice must be placed in the deed to the property. The notice should describe the exact vertical and areal location of the closed underground storage tanks, the hazardous substances it contained and the closure method.
- * Please provide this office with documentation that no unauthorized release has occurred at the site. Slant soil borings must be collected within one foot of the tank. If the depth to groundwater is less than 20 feet, then a groundwater

Mr. Frank de Wolfe
RE: 6460 Hollis Street, Emeryville 94608
May 6, 1992
Page 2 of 2

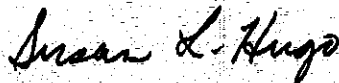
monitoring well must be installed adjacent to the tank and/or piping in the verified downgradient direction. Soils must be analyzed for all constituents of the previously stored hazardous substances and their breakdown or transformation products.

The five underground storage tanks located outside, in the service area, are subject to the permanent closure requirements as stated in Title 23 of the California Code of Regulations Section 2670 (c). These five underground storage tanks in which the storage of hazardous substances have ceased and the tanks will not be used, or are not intended for use to store hazardous substances within the next twelve consecutive months must be removed. An underground tank closure plan must be submitted and approved by this department before the tanks are removed.

In the event that significant contamination which pose a threat to water quality be discovered at the site, compliance with the reporting requirements must be followed and a plan of correction must be submitted which may modify your proposed closure plan.

Should you have any questions concerning this letter, please contact me at (510) 271-4530.

Sincerely,



Susan L. Hugo
Senior Hazardous Materials Specialist

cc: Rafat A. Shahid, Asst. Agency Director, Environmental Health
Mr. Miles Benedict, 2807 Telegraph Avenue, Berkeley CA 94705
Bruce Hageman, Hageman-Aguilar, Inc. 3732 Mt. Diablo Blvd.,
Suite 372, Lafayette, CA 94549

Files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



R062

DEPARTMENT OF ENVIRONMENTAL HEALTH
Hazardous Materials Program
80 Swan Way, Rm. 200
Oakland, CA 94621
(415)

November 26, 1990

Mr. Frank De Wolf
Hale Kona Kai
75-5870 Kahakai Rd.
Kailua-Kona, Hawaii 96740

Dear Mr. De Wolf:

This letter is in response to your request dated October 11, 1990 concerning an underground tank located at Rix Industries, 6460 Hollis St., Emeryville, CA. The site has an interim permit date 1/03/90. Although all requirements set forth in the California Underground Storage Tank Regulations are to be complied with, there is no documentation in this office at present that the site is in violation. There has not been an underground storage tank compliance inspection at this time. This is typical for most of the sites in this area.

If you have any other questions, please contact this office at (415) 271-4320.

Sincerely,

Thomas F. Peacock, Senior HMS
Hazardous Materials Division

TFP:tfp

cc: Rix Industries, 6460 Hollis St., Emeryville, CA 94608