

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



April 30, 2007

ENVIRONMENTAL HEALTH SERVICES

ENVIRONMENTAL PROTECTION

1131 Harbor Bay Parkway, Suite 250

Alameda, CA 94502-6577

PHONE 567-6700

FAX (510) 337-9335

Ms. Ami Ebright  
Green City Lofts, LLC  
c/o Monterey Bay Resources  
4601 W. Walnut Street  
Soquel, CA 95703

Mr. Terry Turner  
Dunne Quality Paints  
707 Glenside Circle  
Lafayette, CA 94599

Mr. and Mrs. Edward Kozel  
20 Oak Knoll Drive  
Healdsburg, CA 95448-3108

Mr. Robert Kovalak  
ICI Paints  
16651 W. Sprague Rd.  
Strongsville, OH 44136

Ms. Deborah Castles  
McGrath Properties  
130 Webster St., Suite 200  
Oakland, CA, 94607

Dear Ms. Ebright and Castles, Messrs. Turner and Kovalak and Mr. and Mrs. Kozel :

Subject: Fuel Leak Case No. RO0000079, Oakland National Engravers (ONE),  
1001 42<sup>nd</sup> St., Oakland 94608 and Fuel Leak Case No. RO0000073,  
Former Dunne Quality Paints, 1007 41<sup>st</sup>. St., Oakland, CA 94608

Alameda County Environmental Health (ACEH) staff has received and reviewed the April 19, 2007 Workplan Addendum for Offsite Groundwater Investigation Former Dunne Quality Paints 1007 41<sup>st</sup> Street Oakland, CA 94608 submitted by Bureau Veritas, responding to the County's March 29, 2007 letter. The addendum incorporates the two additional requested soil vapor sampling points, however, requests that any additional borings along the north-south transect up-gradient of the Ennis property be put on hold pending the results of the other investigation components. Although do not require that the additional borings be done concurrently with the other investigations, we still believe that this information is necessary prior to site closure consideration. Since mineral spirits has migrated significant distances from the former source areas, regardless of whether it is detected in well samples, the extent of its migration must be known as well as what might be left in-place. The presence or lack of presence of risk also will not affect the need to delineate the extent of contamination. Please note the following technical comment below when performing the proposed work.

TECHNICAL COMMENT

1. Chemical Analysis- The following analytical methods should be run for the samples collected during this investigation: soil and groundwater: TPH extractables (including diesel & mineral spirits) and VOCs by EPA Method 8260 and soil vapor: TO3 and TO15 for the similar respective compounds.

## TECHNICAL REPORT REQUEST

Please submit the following technical report according to the following schedule:

- May 15, 2007- Schedule for Monitoring Well Installations and Soil Vapor Sampling
- 60 days after Well Installations and Soil Vapor Sampling- Soil, Groundwater and Soil Vapor Report and Work Plan for Additional Soil and Groundwater Sampling

These reports are being requested pursuant to California Health and Safety Code Section 25296.10. 23 CCR Sections 2652 through 2654, and 2721 through 2728 outline the responsibilities of a responsible party in response to an unauthorized release from a petroleum UST system, and require your compliance with this request.

## ELECTRONIC SUBMITTAL OF REPORTS

Effective **January 31, 2006**, the Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC) require submission of all reports in electronic form to the county's ftp site. Paper copies of reports will no longer be accepted. The electronic copy replaces the paper copy and will be used for all public information requests, regulatory review, and compliance/enforcement activities. Please do not submit reports as attachments to electronic mail. Submission of reports to the Alameda County ftp site is an addition to existing requirements for electronic submittal of information to the State Water Resources Control Board (SWRCB) Geotracker website. Submission of reports to the Geotracker website does not fulfill the requirement to submit documents to the Alameda County ftp site. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for groundwater cleanup programs. For several years, responsible parties for cleanup of leaks from underground storage tanks (USTs) have been required to submit groundwater analytical data, surveyed locations of monitor wells, and other data to the Geotracker database over the Internet. Beginning July 1, 2005, electronic submittal of a complete copy of all necessary reports was required in Geotracker (in PDF format). Please visit the SWRCB website for more information at ([http://www.swrcb.ca.gov/ust/cleanup/electronic\\_reporting](http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting)).

In order to facilitate electronic correspondence, we request that you provide up to date electronic mail addresses for all responsible and interested parties. Please provide current electronic mail addresses and notify us of future changes to electronic mail addresses by sending an electronic mail message to me at [barney.chan@acgov.org](mailto:barney.chan@acgov.org).

## PERJURY STATEMENT

All work plans, technical reports, or technical documents submitted to ACEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I declare, under penalty of perjury, that the information and/or recommendations contained in the attached document or report is true and correct to the best of my knowledge." This letter must be signed by an officer or legally authorized representative of your company. Please include a cover letter satisfying these

requirements with all future reports and technical documents submitted for this fuel leak case.

#### PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

The California Business and Professions Code (Sections 6735, 6835, and 7835.1) requires that work plans and technical or implementation reports containing geologic or engineering evaluations and/or judgments be performed under the direction of an appropriately registered or certified professional. For your submittal to be considered a valid technical report, you are to present site specific data, data interpretations, and recommendations prepared by an appropriately licensed professional and include the professional registration stamp, signature, and statement of professional certification. Please ensure all that all technical reports submitted for this fuel leak case meet this requirement.

#### UNDERGROUND STORAGE TANK CLEANUP FUND

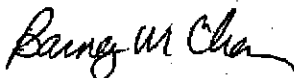
Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

#### AGENCY OVERSIGHT

If it appears as though significant delays are occurring or reports are not submitted as requested, we will consider referring your case to the Regional Board or other appropriate agency, including the County District Attorney, for possible enforcement actions. California Health and Safety Code, Section 25299.76 authorizes enforcement including administrative action or monetary penalties of up to \$10,000 per day for each day of violation.

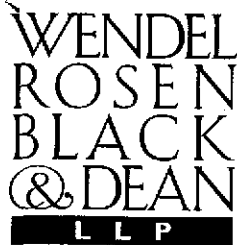
If you have any questions, please call me at (510) 567-6765.

Sincerely,



Barney M. Chan  
Hazardous Materials Specialist

cc: files, D. Drogos, A. Levi  
Other interested parties by e mail attachment



ATTORNEYS AT LAW

1111 Broadway, 24<sup>th</sup> Floor  
Oakland, CA 94607-4036

Post Office Box 2047  
Oakland, CA 94604-2047

Telephone: (510) 834-6600  
Fax: (510) 834-1928  
gbrandt@wendel.com

April 25, 2007

Shari Knieriem  
State Water Resources Control Board  
Division of Financial Assistance  
Underground Storage Tank Cleanup Fund  
1001 I Street, 17<sup>th</sup> Floor  
Sacramento, CA 95814

**Re: UST Cleanup Fund Application  
1001 42<sup>nd</sup> Street, Oakland, CA**

Dear Ms. Knieriem:

On behalf of our client, 1001 42<sup>nd</sup> Street, LLC ("Owner"), we submit with this letter an UST Cleanup Fund Application ("Application") and associated exhibits for the property located at 1001 42<sup>nd</sup> Street in Oakland, California ("Property"). The purpose of this letter is to facilitate your understanding of the information provided in the Application by providing a brief overview of the Property, associated releases, and regulatory status.

Included with the Application are the following documents:

- Report of Soil and Groundwater Assessment prepared by Aqua Science Engineers, Inc. dated January 19, 2005, **Exhibit A**;
- Site Map, **Exhibit B**;
- Settlement and Release Agreement, **Exhibit C**;
- Copies of regulatory agency directive/corrective action compliance, **Exhibit D**;
- Declaration in support of Class C Priority, **Exhibit E**;
- Chief Financial Officer Letter, **Exhibit F**;
- Claimant Certification of Compliance, **Exhibit G**; and,
- Power of Attorney, **Exhibit H**.

The Property is bounded by 42<sup>nd</sup> Street to the north, 41<sup>st</sup> Street to the south, Linden Street to the east, and various residential properties to the west. See **Exhibit B**. Owner purchased the Property in September, 2006.

APR 26 2007

ENVIRONMENTAL REMEDIATION SERVICES

April 25, 2007

Page 2

The Application is for releases associated with two underground storage tanks. The first tank (Loading Dock Tank) was removed in 1987. The second tank was closed-in-place in 1993 (41<sup>st</sup> Street Tank). Both tanks are believed to have stored mineral spirits (although at least one communication from the Alameda County Environmental Health Services ("ACEHS") refers to the Loading Dock Tank as having stored "diesel").

Since approximately 1981, the Property was owned by Edward R. Kozel and Elizabeth Kozel, either as individuals or as Trustees of the Kozel Charitable Remainder Trust (collectively, the "Kozels"). The Kozels assigned all of their rights to the UST Fund to the Owners when the Owners purchased the Property in 2006. See Exhibit C, Amended Addendum to Standard Offer, Agreement and Escrow Instructions Real Estate (Non-Residential) at page 6.

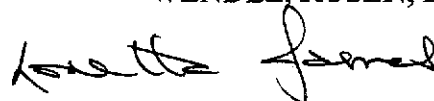
For several years, the ACEHS directed communications to the Kozels requiring them to investigate and, if necessary, remediate the Property. See Exhibit D. We do not know whether we have a complete file of all communications with ACEHS predating Owner's ownership of the Property, but we have included the communications that we do have as Exhibit D.

Since Owner purchased the Property, ACEHS has renewed their demands that the releases from the tanks be investigated. Owner has committed to responding promptly to ACEHS directives in hopes of promptly investigating the releases associated with the USTs and securing closure. At this time, ACEHS is requiring an assessment of both on-site and off-site conditions. See Exhibit D. It is our hope that with funding from the UST Fund we can continue to comply with ACEHS directives and resolve these issues to the ACEHS's satisfaction.

If you have any questions regarding this application, please contact me at (510) 834-6600.

Very truly yours,

WENDEL, ROSEN, BLACK & DEAN, LLP



Catherine W. Johnson

for  
CATHERINE  
JOHNSON

/ck

Enclosures

cc: Deborah Castles  
Melissa Buss (w/enclosures)  
Barney Chan

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



F

March 29, 2007

ENVIRONMENTAL HEALTH SERVICES

ENVIRONMENTAL PROTECTION  
1131 Harbor Bay Parkway, Suite 250

Ms. Ami Ebright  
Green City Lofts, LLC  
c/o Monterey Bay Resources  
4601 W. Walnut Street  
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Mr. Terry Turner  
Dunne Quality Paints  
707 Glenside Circle  
Lafayette, CA 94599

Alameda, CA 94502-6577  
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FAX (510) 337-9335

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20 Oak Knoll Drive  
Healdsburg, CA 95448-3108

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ICI Paints  
16651 W. Sprague Rd.  
Strongsville, OH 44136

Ms. Deborah Castles  
McGrath Properties  
130 Webster St., Suite 200  
Oakland, CA, 94607

Dear Ms. Ebright and Castles, Messrs. Turner and Kovalak and Mr. and Mrs. Kozel :

Subject: Fuel Leak Case No. RO0000079, Oakland National Engravers (ONE),  
1001 42<sup>nd</sup> St., Oakland 94608 and Fuel Leak Case No. RO0000073,  
Former Dunne Quality Paints, 1007 41<sup>st</sup>. St., Oakland, CA 94608

Alameda County Environmental Health (ACEH) staff has received and reviewed the January 17, 2007 Workplan for Offsite Groundwater Investigation Former Dunne Quality Paints 1007 41<sup>st</sup> Street Oakland, CA 94608 submitted by Clayton Group Services. We understand this represents a joint work plan submittal from both the former Dunne Quality Paints and Oakland National Engravers (ONE) with the intent to determine the extent and monitor the petroleum plume that has migrated down-gradient from these properties. The work plan also includes a proposal to evaluate health risk due to volatilization of the mineral spirits by taking soil vapor samples. A total of three (3) monitoring wells and three (3) soil vapor sample points have been proposed. Although we concur with the intent of the proposal we do not believe the work proposed will adequately characterize the petroleum release or the risk to the down-gradient residences. We request that you address the following technical comments and submit an amended work plan as requested below.

TECHNICAL COMMENTS

1. The figures in your work plan, which have also been presented in other technical reports, indicate that preferential migration of petroleum contamination has likely occurred through narrow stream-bed channels. These channels are approximately 15' in width and are known to be difficult to detect by drilling. The San Joaquin Co. February 12, 2007 report provides an interpretation of the preferential pathways (paleo streambeds) in this area. We recommend that additional soil and

groundwater samples be collected along a north-south transect up-gradient of the Ennis Property residences in a spacing of ~15'. While existing data points can be projected along this transect, it still appears that additional borings will be required to complete this investigation. We approve the monitoring well and soil vapor sampling locations and request that two additional soil vapor samples be taken, one adjacent to each of the other two Ennis properties. See attached Revised Figure 4. Please submit a revised figure indicating the location of additional borings reflecting a tighter spacing as requested below.

#### TECHNICAL REPORT REQUEST

Please submit the following technical report according to the following schedule:

- April 16, 2007- Revised Figure for Borings
- April 16, 2007- Schedule for Monitoring Well Installation, Soil Vapor Sampling and Borings.

#### ELECTRONIC SUBMITTAL OF REPORTS

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In order to facilitate electronic correspondence, we request that you provide up to date electronic mail addresses for all responsible and interested parties. Please provide *current electronic mail addresses* and notify us of future changes to electronic mail addresses by sending an electronic mail message to me at [barney.chan@acgov.org](mailto:barney.chan@acgov.org).

We notice that your site has not submitted electronic copies of reports to the Geotracker website as required. Please submit copies of all reports issued to date since the compliance date, July 1, 2005, immediately.

#### PERJURY STATEMENT

All work plans, technical reports, or technical documents submitted to ACEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I declare, under penalty of perjury, that the information and/or

recommendations contained in the attached document or report is true and correct to the best of my knowledge." This letter must be signed by an officer or legally authorized representative of your company. Please include a cover letter satisfying these requirements with all future reports and technical documents submitted for this fuel leak case.

#### PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

The California Business and Professions Code (Sections 6735, 6835, and 7835.1) requires that work plans and technical or implementation reports containing geologic or engineering evaluations and/or judgments be performed under the direction of an appropriately registered or certified professional. For your submittal to be considered a valid technical report, you are to present site specific data, data interpretations, and recommendations prepared by an appropriately licensed professional and include the professional registration stamp, signature, and statement of professional certification. Please ensure all that all technical reports submitted for this fuel leak case meet this requirement.

#### UNDERGROUND STORAGE TANK CLEANUP FUND

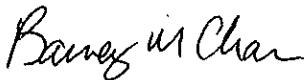
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#### AGENCY OVERSIGHT

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If you have any questions, please call me at (510) 567-6765.

Sincerely,

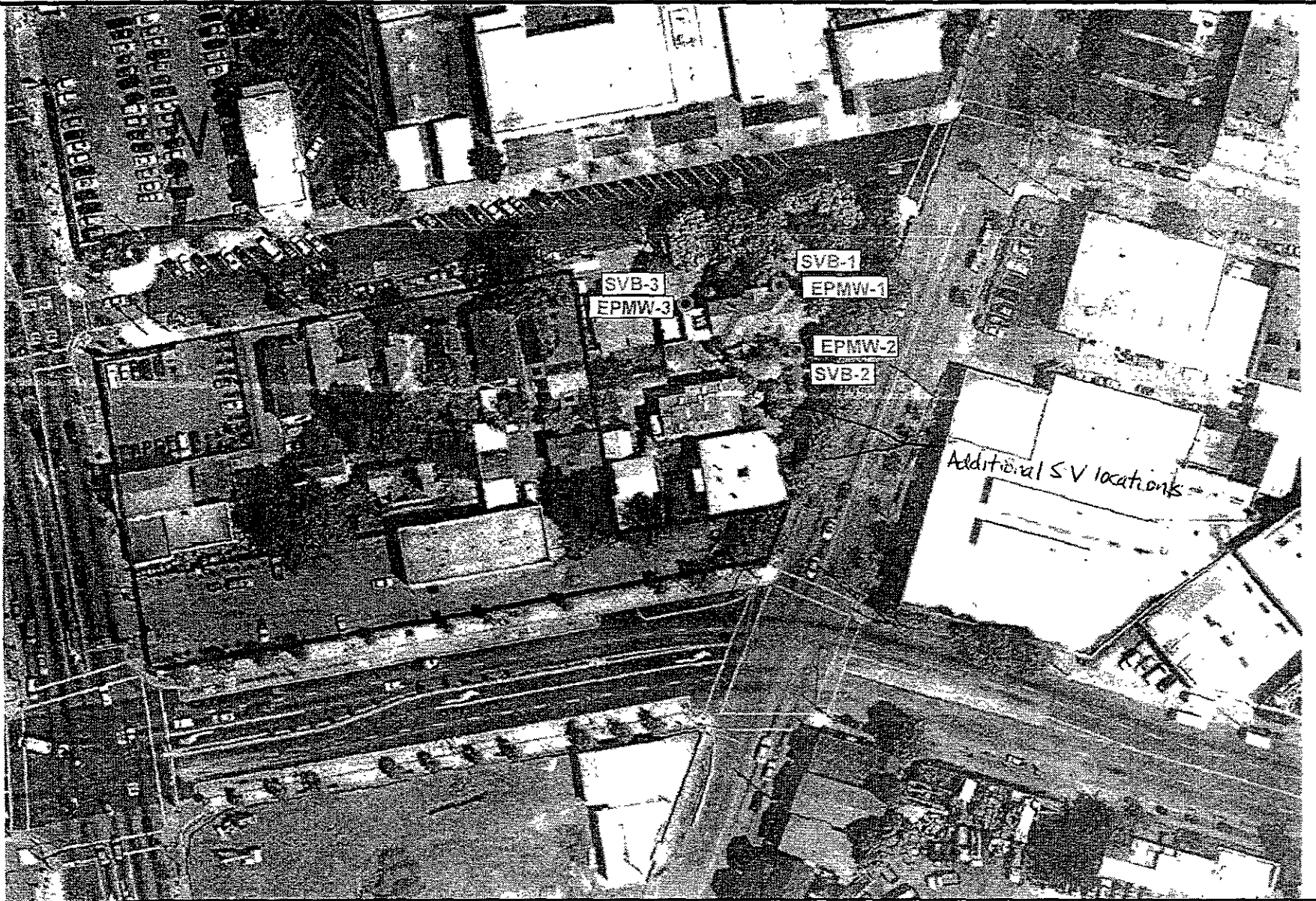


Barney M. Chan  
Hazardous Materials Specialist

Enclosure: revised Figure 4

cc: files, D. Drogos, A. Levi  
Other interested parties by e mail attachment





**LEGEND**

- Proposed Groundwater Monitoring Locations by GCL/1001 42nd Street, LLC
- Proposed Groundwater Monitoring Locations by Oakwalk
- ◆ Soil/Gas Sampling Locations

**SITE LOCATION MAP**

Proposed Off-Site Investigation Locations at Ennis Property

Clayton Project No. 33103-003365.09

*Revised*

**FIGURE**

4



**Chan, Barney, Env. Health**

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**From:** Brian Haughton [BSH@BCLTLAW.com]  
**Sent:** Tuesday, November 21, 2006 3:09 PM  
**To:** Catherine W. Johnson; Drogos, Donna, Env. Health; Chan, Barney, Env. Health  
**Cc:** JBenjamin@fbm.com; Deborah Castles  
**Subject:** Fuel Leak Case No. RO0000079: 1001 42nd St., Oakland, CA

Dear Donna and Barney:

This is to confirm that (1) the Kozels sold the referenced property to Catherine Johnson's client ("1001," as referenced in her email below) in October, (2) 1001 and the Kozels have agreed to cooperate with each other (with 1001 taking the lead as between them) in responding to your October 12 letter, and (3) extensions of time requested by -- and granted to -- 1001 should apply to the Kozels as well.

Also, could you please add me to your cc list for this matter? Thanks very much.

--Brian

**Brian S. Haughton, Esq.**  
Barg Coffin Lewis & Trapp, LLP  
One Market  
Steuart Tower, Suite 2700  
San Francisco, CA 94105-1475  
t: 415-228-5400  
f: 415-228-5450  
e: bsh@bcctlaw.com  
w: www.bcctlaw.com

The information contained in this e-mail message may be privileged, confidential and protected from disclosure. If you are not the intended recipient, any further disclosure or use, dissemination, distribution or copying of this message or any attachment is strictly prohibited. If you think that you have received this e-mail message in error, please e-mail the sender at the above address, and delete the e-mail. Thank you very much.

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**From:** Catherine W. Johnson [mailto:CJohnson@wendel.com]  
**Sent:** Tuesday, November 21, 2006 2:06 PM  
**To:** donna.drogos@acgov.org; barney.chan@acgov.org  
**Cc:** JBenjamin@fbm.com; Brian Haughton; Deborah Castles  
**Subject:**

Dear Ms. Drogos and Mr. Chan:

I am writing on behalf of my client, 1001 42nd Street, LLC ("1001"), the current owner of the property located at 1001 42nd Street, Oakland California ("Property"), in response to your October 12, 2006 letter addressed to Mr. and Mrs. Edward Kozel and to the Grow Group (former owners of the Property).

As you know, your October 12, 2006 letter to the Kozels and the Group Group and a letter to Green City Lofts and Dunne Quality Paints of the same date, directed that the parties coordinate on certain tasks associated with a plume that Alameda County Health Care Services ("County") contends has comingled. As the current owner of the Property, we are attempting to work cooperatively with other responsible parties to respond to the County's directives. To date, we have met with Green City Lofts and with representatives of the Kozels/O.N.E. Color Communications, Inc. to discuss going-forward issues.

We directed our environmental consultant, John Cavanaugh of ERM, to coordinate with John Rosso, Green

11/21/2006

City Lofts' environmental consultant, and request an extension of time from the County for certain tasks identified in the County's letters of October 16, 2006. As the new owner of the Property, we need some time to get up to speed on the factual and technical issues at issue. We also need time to coordinate with the other parties and reach an agreement on how we will proceed.

We understand from John Cavanaugh that he and John Rosso have exchanged voice mail messages and emails with Barney Chan regarding an extension of time. We do not yet have written confirmation of an extension for all the matters for which we requested an extension, but we understand that Mr. Chan indicated that the County would grant an extension of time. Our consultant, John Cavanaugh, will contact you with specifics about the time extension.

Meanwhile, as the current owner of the Property, please add us to your contact list for the Property. Please forward communications to the following:

Deborah M. Castles  
McGrath Properties, Inc.  
130 Webster Street, Suite 200  
Oakland, CA 94607  
510-273-2002 (phone)  
510-251-0747 (fax)  
deborah@aegisrealty.com

with a copy to:  
Catherine W. Johnson  
Wendel Rosen Black & Dean, LLP  
1111 Broadway, 24th Floor  
Oakland, CA 94111  
(510)-834-6600 (phone)  
(510)-834-1928  
cjohnson@wendel.com.

I am also writing to confirm our earlier discussion regarding the laws applicable to the County's oversight of the remediation. I understand from you that the site is within the Local Oversight Program ("LOP") for underground storage tanks and that any appeal from a final decision of the County would be to the State Water Resources Control Board and/or the Regional Water Quality Control Board. In addition, I understand that the recent letters that you sent to the parties should not be considered a final decision for purposes of any appeal. I would appreciate your letting me know when the County issues a letter or directive that it considers to be a final decision for purposes of any appeal, such that I can advise my client of any actions that should be taken should it want to consider an appeal.

Thank you for your attention to this matter. We look forward to working with you.

Catherine

Catherine W. Johnson  
Wendel Rosen Black & Dean, LLP  
1111 Broadway, 24th Floor  
Oakland, CA 94607  
510-834-6600 (phone)  
510-834-1928 (fax)

1079

**Chan, Barney, Env. Health**

---

**From:** Catherine W. Johnson [CJohnson@wendel.com]  
**Sent:** Tuesday, November 21, 2006 2:06 PM  
**To:** Drogos, Donna, Env. Health; Chan, Barney, Env. Health  
**Cc:** JBenjamin@fbm.com; Brian Haughton; Deborah Castles

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510-251-0747 (fax)  
deborah@aegisrealty.com  
with a copy to:  
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Wendel Rosen Black & Dean, LLP  
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Thank you for your attention to this matter. We look forward to working with you.

Catherine

Catherine W. Johnson  
Wendel Rosen Black & Dean, LLP  
1111 Broadway, 24th Floor  
Oakland, CA 94607  
510-834-6600 (phone)  
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ALAMEDA COUNTY  
HEALTH CARE SERVICES

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DAVID J. KEARS, Agency Director



7

ENVIRONMENTAL HEALTH SERVICES

ENVIRONMENTAL PROTECTION  
1131 Harbor Bay Parkway, Suite 250  
Alameda, CA 94502-6577

October 12, 2006

Mr. and Mrs. Edward Kozel  
20 Oak Knoll Drive  
Healdsburg, CA 95448-3108

The Grow Group, c/o Mr. David Russell  
Pan American Building  
200 Park Ave.  
New York, NY, 10166

510-566-8770  
FAX (510) 337-9335

Dear Mr. Russell and Mr. and Mrs. Kozel :

Subject: Fuel Leak Case No. RO0000079, Oakland National Engravers (ONE),  
1001 42<sup>nd</sup> St., Oakland 94608

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the subject site including the June 2006 Limited Soil and Groundwater Investigation Report prepared for AEGIS by ERM. In this report, ERM provides the results of five borings drilled on the western property boundary for the collection of soil and groundwater samples. The intent of the investigation appears to be to evaluate potential impacts to the northern portion of neighboring residential properties and delineation of the on-site releases to soil and groundwater however, no conclusions nor recommendations were presented in the report. Of the five borings only three were able to collect groundwater samples, B-1, B-2 and B-4 and only B-1 and B-2 yielded enough water for chemical analysis. Groundwater appeared in B-2 at the time of the drilling, in B-1 after 24 hours and in B-4 after one week. No water was found in either B-3 or B-5 after one week. Soil contamination was detected up to 480 and 620 ppm TPH as mineral spirits in borings B-1 and B-2, respectively. TPHms in groundwater was detected in B-1 at 460 ppb and in B-2 at 120 ppb. We have the following technical comments and request that you submit the technical reports requested below.

TECHNICAL COMMENTS

- 1. Evaluation of Risk to Residential/Neighboring Properties-** The risk to on-site occupants, immediate adjacent properties and all affected down-gradient properties must be evaluated. Although the soil borings were installed in the northern portions of the property boundaries no work was performed in the southern areas where high concentrations of contaminants were detected. Specifically, the presence of up to 1,600,000 ppb TPHms detected in boring BH-J may pose a potential human health risk to nearby residential properties which must be further evaluated. Please address this concern in the CAP requested below.
- 2. Site Characterization-** The source(s) of the release and their methods of migration are not well understood at your site. As an example, the source of the elevated concentration of TPHms detected on the eastern boundary of the property is yet unknown. Contamination appears to have migrated through preferential pathways including coarse-grained soils, buried stream channels, and utility conduits. Your consultant, Aqua Science Engineers, maintains that the buried stream channels were not encountered at your site. A review of your consultant's boring logs indicates sands and gravels consistent with the channel deposits observed at the Dunne site

were encountered at your site. Further, we note that many of your on-site borings were terminated too shallow to encounter anticipated coarse grained deposits. Because of this, further investigation may be warranted as your SCM (site conceptual model) is further developed.

3. **Regional and Site Specific Hydrogeology-** We recommend that you review the regional hydrogeology. Much information is known about the following neighboring properties: Dunne Quality Paint aka Green City (1007 41<sup>st</sup> St., Oakland), California Linen Rental (989 41<sup>st</sup> St., Oakland), Oak Walk Redevelopment Site (0 San Pablo Ave, Emeryville) and the SNK Andante Project (3992 San Pablo Ave., Emeryville). The existence of gravel deposits consistent with buried stream channels has been mapped on several of these sites and appears to be a contaminant migration pathway. We have examined the logs from borings and monitoring wells at these sites as well as the subject site. We notice similarities in the boring logs from your site and that of monitoring well CW-2, located within the gravel channel extending from the Dunne Quality Paint site. A large number of borings that logged sand and gravel appear within the estimated free product plume shown in Figure 2 of the ASE October 14, 2005 report. Sand and gravel channel deposits also appear along the northern property boundary of the former Dunne Quality Paint and within the former Dunne Quality Paint property, which was exposed during the site-wide excavation. These results indicate a high likelihood of commingled plumes from the ONE and the Dunne sites. The plume appears to have migrated westerly off-site beneath the Ennis Property (1069 41<sup>st</sup> St., Emeryville) and the Oak Walk property. Because of this, we request that both ONE and Dunne (by copy of this letter) co-operate to perform a comprehensive investigation and/or remediation of off-site affected properties, particularly beneath the Ennis property and further down-gradient of the Oak Walk project.
4. **Request for Corrective Action Plan (CAP)-** We request that you provide a Corrective Action Plan for both on and off-site petroleum impacts from your site. Your CAP shall include an assessment of impacts of the release to human health and the environment, a feasibility study which examines at least three alternatives besides natural attenuation, for restoring or protecting the beneficial uses and proposes applicable cleanup levels. It appears that you will need a remediation plan for the contamination beneath and immediately adjacent to your property and another for down-gradient impacts of the release. A joint CAP will be required for the latter contamination beneath off-site properties, which we have requested parties (Dunne Quality Paints aka Green City and ONE) to co-operate. Clayton Environmental has previously identified TPH as mineral spirits in groundwater beneath the Ennis property. The Oak Walk property appears also to have been impacted by the mineral spirits release. Their consultants have proposed numerous corrective actions to handle their on-site subsurface contamination, but do not address nor are they responsible for delineating the mineral spirits release. Thus, you will need to also include discussion with Oak Walk property owner and his consultant to complete plume delineation. It is imperative that the CAP addressing contamination on and adjacent to your property be expedited to prevent further down-gradient migration. Please provide your CAPs for public response as requested below.

5. **Request for Identification of Nearby Property Owners-** As required as part of the public participation process for a CAP, please provide a list of all properties with their APN, property owner name and mailing address and a map showing the locations of each property which is or may be affected by the petroleum release from your site and which might have direct or indirect impacts from the proposed corrective actions
6. **Request Coordinated GW Monitoring of All Sites-** We request that your wells and monitoring schedule be coordinated with that of the Green City, Celis, and Oak Walk properties. This request is also made of the Green City, Celis, and Oak Walk properties by copy of this letter.

#### TECHNICAL REPORT REQUEST

Please submit the following technical reports according to the following schedule:

- **November 13, 2006-** Work Plan Report for Evaluation of Neighboring Properties and off-site plume characterization (joint submittal with Green City).
- **November 13, 2006-** Corrective Action Plan for on and immediate off-site release
- **November 13, 2006-** List of Properties, Property Owners, Addresses and Map for Public Notification for on-site and immediate off-site release.
- **60 days after approval of Work Plan for Evaluation of Neighboring Properties-** CAP for off-site properties and work plan for monitoring well installation, (joint submittal with Green City).
- **60 days after approval of Work Plan for Evaluation of Neighboring Properties-** List of Properties, Property Owners, Addresses and Map for Public Notification for CAP for off-site impacts.

#### ELECTRONIC SUBMITTAL OF REPORTS

Effective **January 31, 2006**, the Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC) require submission of all reports in electronic form to the county's ftp site. Paper copies of reports will no longer be accepted. The electronic copy replaces the paper copy and will be used for all public information requests, regulatory review, and compliance/enforcement activities. Please do not submit reports as attachments to electronic mail. Submission of reports to the Alameda County ftp site is an addition to existing requirements for electronic submittal of information to the State Water Resources Control Board (SWRCB) Geotracker website. Submission of reports to the Geotracker website does not fulfill the requirement to submit documents to the Alameda County ftp site. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for groundwater cleanup programs. For several years, responsible parties for cleanup of leaks from underground storage tanks (USTs) have been required to submit groundwater analytical data, surveyed locations of monitor wells, and other data to the Geotracker database over the Internet. Beginning July 1, 2005, electronic submittal of a complete copy of all necessary reports was



required in Geotracker (in PDF format). Please visit the SWRCB website for more information at ([http://www.swrcb.ca.gov/ust/cleanup/electronic\\_reporting](http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting)).

In order to facilitate electronic correspondence, we request that you provide up to date electronic mail addresses for all responsible and interested parties. Please provide current electronic mail addresses and notify us of future changes to electronic mail addresses by sending an electronic mail message to me at [barney.chan@acgov.org](mailto:barney.chan@acgov.org).

We notice that your site has not submitted electronic copies of reports to the Geotracker website as required. Please submit copies of all reports issued to date since the compliance date, July 1, 2005, immediately.

#### PERJURY STATEMENT

All work plans, technical reports, or technical documents submitted to ACEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I declare, under penalty of perjury, that the information and/or recommendations contained in the attached document or report is true and correct to the best of my knowledge." This letter must be signed by an officer or legally authorized representative of your company. Please include a cover letter satisfying these requirements with all future reports and technical documents submitted for this fuel leak case.

#### PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

The California Business and Professions Code (Sections 6735, 6835, and 7835.1) requires that work plans and technical or implementation reports containing geologic or engineering evaluations and/or judgments be performed under the direction of an appropriately registered or certified professional. For your submittal to be considered a valid technical report, you are to present site specific data, data interpretations, and recommendations prepared by an appropriately licensed professional and include the professional registration stamp, signature, and statement of professional certification. Please ensure all that all technical reports submitted for this fuel leak case meet this requirement.

#### UNDERGROUND STORAGE TANK CLEANUP FUND

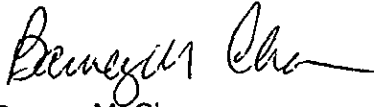
Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

#### AGENCY OVERSIGHT

If it appears as though significant delays are occurring or reports are not submitted as requested, we will consider referring your case to the Regional Board or other appropriate agency, including the County District Attorney, for possible enforcement actions. California Health and Safety Code, Section 25299.76 authorizes enforcement including administrative action or monetary penalties of up to \$10,000 per day for each day of violation.

If you have any questions, please call me at (510) 567-6765.

Sincerely,



Barney M. Chan  
Hazardous Materials Specialist

cc: files, D. Drogos

Ms. Deborah Castles, AEGIS, 130 Webster St., Suite 200, Oakland, CA 94607

Mr. John Cavanaugh, ERM, 1777 Botelho Drive, Suite 260, Walnut Creek,  
CA 94596

Mr. M. Samuels, Green City Development Group, 3675 Del Monte Ave.,  
Oakland, CA 94608

Mr. Terry Turner, Dunne Quality Paints, 707 Glenside Circle, Lafayette, CA 94599

Mr. J. Rosso, Clayton Group Services, A Bureau Veritas Company, 6920  
Koll Center Parkway, Suite 216, Pleasanton, CA 94566

Mr. Peter Schellinger, Bay Rock Residential, LLC, 5801 Christie Ave., Suite 455  
Emeryville, CA 94608

Mr. John Tibbetts, 4097 San Pablo Ave., Emeryville, CA 94608

Mr. Ignacio Dayrit, City of Emeryville, 1333 Park Ave., Emeryville, CA 94608

Mr. Constantino Cellis, c/o Mr. Ignacio Dayrit, City of Emeryville, 1333 Park Ave.,  
Emeryville, CA 94608

Mr. Dave Ennis, P.O. Box 10985, South Lake Tahoe, CA 96158-3985

Mr. Dai Watkins, The San Joaquin Co. Inc., 1120 Hollywood Ave., Suite 3,  
Oakland, CA 94602

Mr. Xingang Tong, 464 19<sup>th</sup> St., Suite 206, Oakland, CA 94612

Mr. George Muehleck, URS Corporation, 1333 Broadway, Suite 800, Oakland, 94612

Mr. Robert Kitay, ASE, 208 W. El Pintado Road, Danville, CA, 94526

Mr. John Wolfenden, SFRWQCB

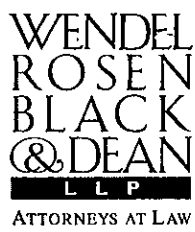
**Alameda County Department of Environmental Health  
Hazardous Materials Division**

**Meeting Attendees**

**Subject** 1001 42nd St - FARMER ONE - KOZEL PROPERTY  
**Date** 7-18-06  
**Location** ACEH

|   | <u>Name</u>              | <u>Affiliation</u>                  | <u>Phone #</u>        | <u>FAX #</u>  |
|---|--------------------------|-------------------------------------|-----------------------|---|
| 1 | <u>Barney Chan</u>       | <u>ACEH</u>                         | <u>510-5676765</u>    | <u>570 337 9835</u>   |
| 2 | <u>Robert Kitay</u>      | <u>ASE</u>                          | <u>925-820-9391</u>   | <u>925-837-4853</u>   |
| 3 | <u>John CAVANAUGH</u>    | <u>ERM</u>                          | <u>925 946-0435</u>   | <u>946-9968</u><br><u>925 946</u>   |
| 4 | <u>Brian Haughton</u>    | <u>BCLT</u>                         | <u>415-228-5400</u>   | <u>415-228-5450</u>   |
| 6 | <u>Deborah Coates</u>    | <u>Argis Equit Payne</u>            | <u>(510) 273-7002</u> | <u>(510) 51-0717</u>  |
| 6 | <u>Catherine Johnson</u> | <u>Wendel Rosen Black &amp; Dea</u> | <u>510-834-6600</u>   | <u>510-834-1928</u>   |
| 7 | <u>DONNA DROGOS</u>      | <u>ACEH</u>                         | <u>510-834-6600</u>   | <u>510-834-1928</u><br><u>donna.drogos@acgov.org</u><br><u>510-507-6721</u> |

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**CATHERINE W. JOHNSON**  
 Attorney at Law  
 1111 Broadway  
 Twenty-Fourth Floor  
 Oakland, CA 94607  
 Telephone (510) 834-6600  
 Facsimile (510) 834-1928  
 cjohnson@wendel.com



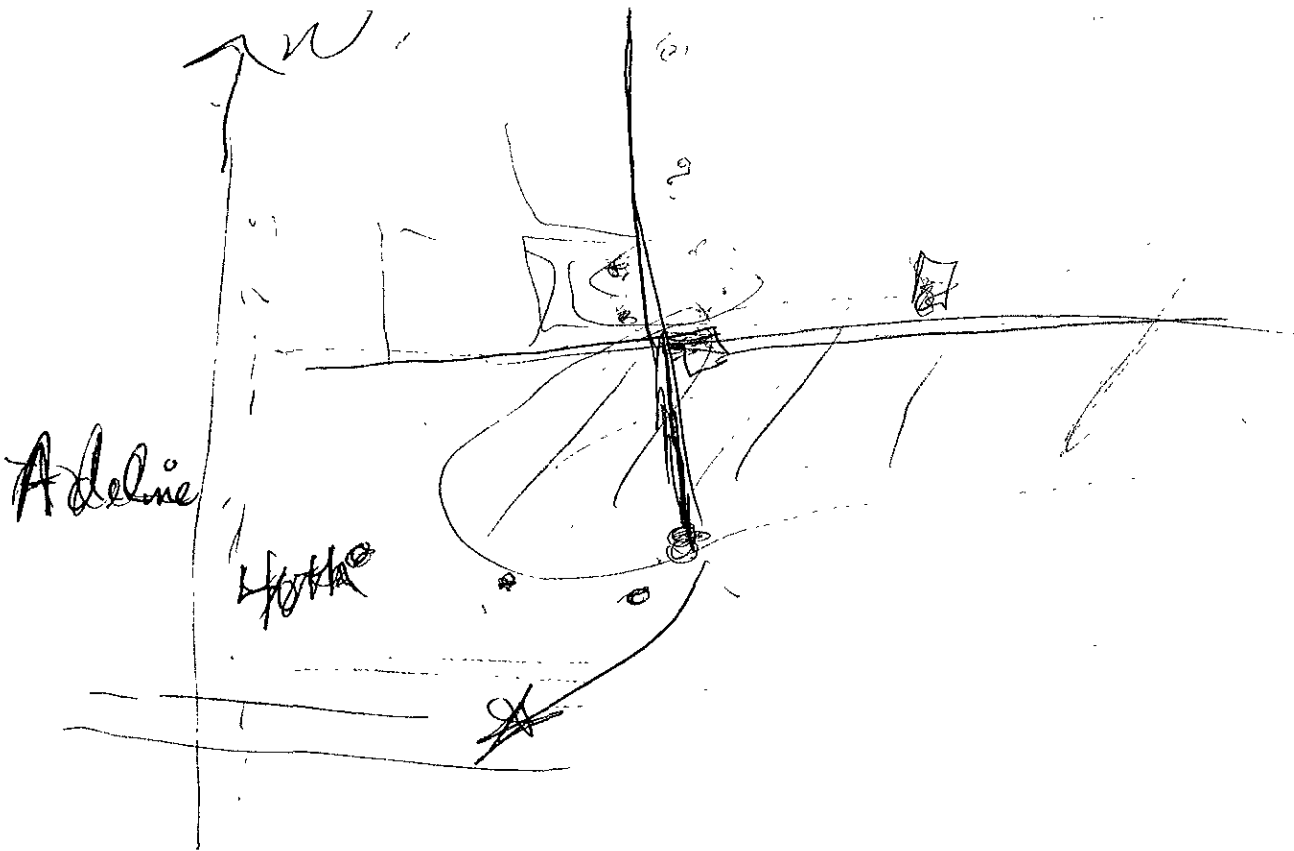
**Brian S. Haughton**  
 One Market  
 Steuart Tower, Suite 2700  
 San Francisco, CA 94105-1475  
 Tel 415 228 5400  
 Fax 415 228 5450  
 www.bcltlaw.com  
 bsh@bcltlaw.com

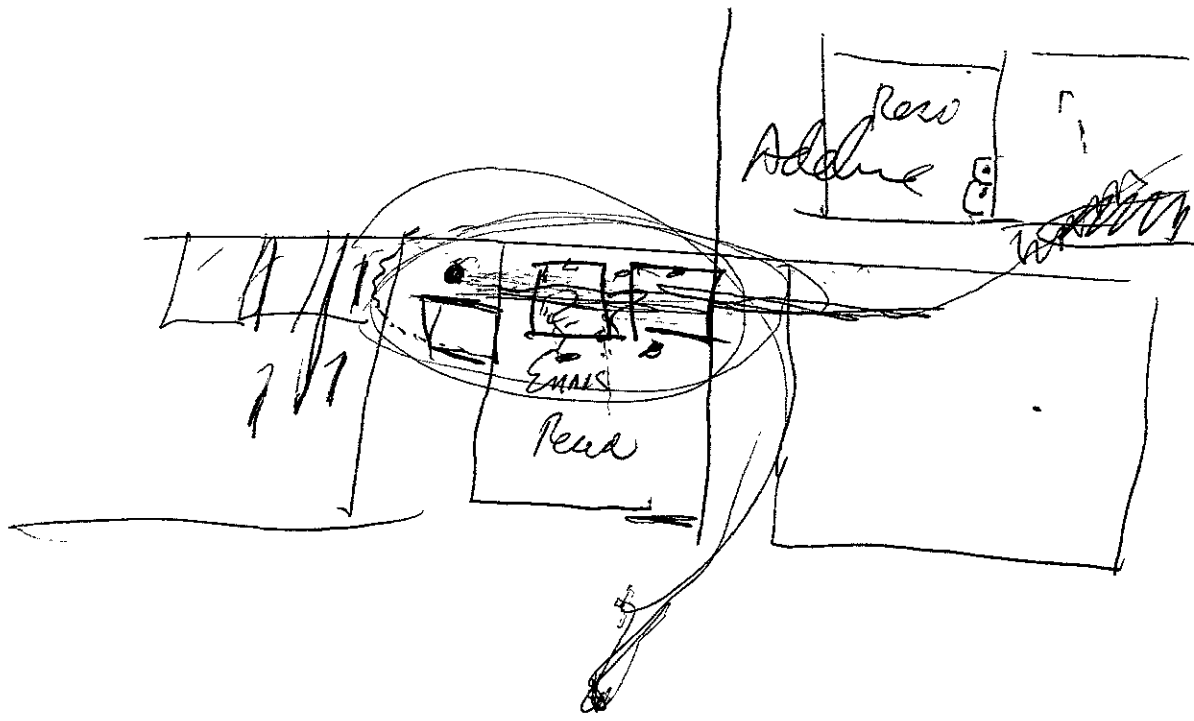
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Agenda for Meeting w/ ACEH  
7/18/06

1. Review of ERM Report dated June 2006
2. Confirm Site Characterization as outlined in ACEH letter dated 1/3/06 to Mr. and Mrs. Kozel has been completed
3. Discuss Corrective Action Plan parameters
4. Discuss Timeline for Approval of Corrective Action Plan and Issuance of Closure Letter

ERM Report





ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



7

May 26, 2006

Ms. Deborah Castles  
AEGIS  
130 Webster St., Suite 200  
Oakland, CA 94607

Mr. and Mrs. Edward Kozel  
20 Oak Knoll Drive  
Healdsburg, CA 95448-3108

Dear Ms. Castles and Mr. and Mrs. Kozel:

Subject: Fuel Leak Case No. RO0000079, 1001 42<sup>nd</sup> St., Oakland 94608

Alameda County Environmental Health staff has received and reviewed the May 23, 2006 Workplan for Soil and Ground Water Evaluation Kozel Property, Oakland, California from Environmental Resources Management (ERM). The work plan proposes six (6) additional borings along the western property boundary, two of which are located within the property of an adjacent residence. Soil and groundwater samples will be collected and the risk to nearby residences evaluated. This work is approved. In addition, we request that at least one additional boring be drilled north of the eastern boundary of the estimated extent of free product where currently there is no data from "dry" borings. Every attempt should be made to obtain a groundwater sample from this area. Please submit your soil and groundwater report to our office no later than July 15, 2006.

ELECTRONIC SUBMITTAL OF REPORTS

Effective **January 31, 2006**, the Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC) require submission of all reports in electronic form to the county's ftp site. Paper copies of reports will no longer be accepted. The electronic copy replaces the paper copy and will be used for all public information requests, regulatory review, and compliance/enforcement activities. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program ftp site are provided on the attached "Electronic Report Upload (ftp) Instructions." Please do not submit reports as attachments to electronic mail.

Submission of reports to the Alameda County ftp site is an addition to existing requirements for electronic submittal of information to the State Water Resources Control Board (SWRCB) Geotracker website. Submission of reports to the Geotracker website does not fulfill the requirement to submit documents to the Alameda County ftp site. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for groundwater cleanup programs. For several years, responsible parties for cleanup of leaks from underground storage

tanks (USTs) have been required to submit groundwater analytical data, surveyed locations of monitor wells, and other data to the Geotracker database over the

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

Internet. Beginning July 1, 2005, electronic submittal of a complete copy of all necessary reports was required in Geotracker (in PDF format). Please visit the SWRCB website for more information on these requirements ([http://www.swrcb.ca.gov/ust/cleanup/electronic\\_reporting](http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting)).

In order to facilitate electronic correspondence, we request that you provide up to date electronic mail addresses for all responsible and interested parties. Please provide current electronic mail addresses and notify us of future changes to electronic mail addresses by sending an electronic mail message to me at [barney.chan@acgov.org](mailto:barney.chan@acgov.org).

#### PERJURY STATEMENT

All work plans, technical reports, or technical documents submitted to ACEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I declare, under penalty of perjury, that the information and/or recommendations contained in the attached document or report is true and correct to the best of my knowledge." This letter must be signed by an officer or legally authorized representative of your company. Please include a cover letter satisfying these requirements with all future reports and technical documents submitted for this fuel leak case.

#### PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

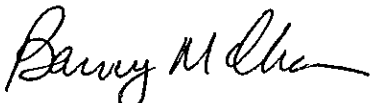
The California Business and Professions Code (Sections 6735, 6835, and 7835.1) requires that work plans and technical or implementation reports containing geologic or engineering evaluations and/or judgments be performed under the direction of an appropriately registered or certified professional. For your submittal to be considered a valid technical report, you are to present site specific data, data interpretations, and recommendations prepared by an appropriately licensed professional and include the professional registration stamp, signature, and statement of professional certification. Please ensure all that all technical reports submitted for this fuel leak case meet this requirement.

#### UNDERGROUND STORAGE TANK CLEANUP FUND

Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

If you have any questions, please call me at (510) 567-6765.

Sincerely,



Barney M. Chan  
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

C: files, D. Drogos

Mr. John Cavanaugh, ERM, 1777 Botelho Drive, Suite 260, Walnut Creek,  
CA 94596

Mr. M. Samuels, Green City Development Group, 3675 Del Monte Ave.,  
Oakland, CA 94608

Mr. J. Rosso, Clayton Group Services, A Bureau Veritas Company, 6920  
Koll Center Parkway, Suite 216, Pleasanton, CA 94566

Mr. Donald Miller, California Linen, 989 41<sup>st</sup> St., Oakland, 94608

5\_26\_06 1001 41st St

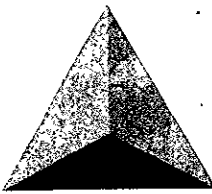


**Alameda County Department of Environmental Health  
Hazardous Materials Division**

**Meeting Attendees**

**Subject** 1001 42nd St - Former ONE  
**Date** 5-15-06  
**Location** ACEH Ro 79

|    | <u>Name</u>           | <u>Affiliation</u>            | <u>Phone # / FAX #</u>                    |
|----|-----------------------|-------------------------------|---|
| 1  | <u>Barney Chan</u>    | <u>ACEH</u>                   | <u>510-567-6765 / 510-337-9335</u>        |
| 2  | <u>Downa Drogos</u>   | <u>ACEH</u>                   | <u>510-672-1111</u>                       |
| 3  | <u>Deborah Castle</u> | <u>Aegis</u>                  | <u>27320021</u>                           |
| 4  | <u>John Cavanaugh</u> | <u>ERM John Cavanaugh LLC</u> | <u>ERM.CC@925.946-0455 / 925.946-9968</u> |
| 5  |                       |                               | /   |
| 6  |                       |                               | /   |
| 7  | <u>A E G I S</u>      |                               | /   |
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**DEBORAH M. CASTLES**  
**VICE PRESIDENT**  
**AEGIS EQUITY PARTNERS, INC**  
**130 WEBSTER STREET, SUITE 200**  
**OAKLAND, CALIFORNIA 94612**  
**deborah@aegisrealty.com**  
**DIRECT 510 273 2002**  
**FAX 510.251.0747**

**John Cavanaugh, R.G.**  
*Program Director*

Email: john.cavanaugh@erm.com

**Environmental Resources Management**  
 1777 Botelho Drive, Suite 260  
 Walnut Creek, CA 94596  
 (925) 946-0455  
 (925) 946-9968 (fax)



**ERM**



either San Jose (Cai)  
 or Xingjia Jiny (URS) Celis report.  
 intend to leave buildings & tanks in place  
 problem: schools on top renewals.

6-1st week of June for any reports (w/c/cap) for  
 County Review

Alameda County Department of Environmental Health  
Hazardous Materials Division

Meeting Attendees

Subject 1001 42nd St - FORMER ONE

Date 5-15-06

Location ACEH R079

| Name                     | Affiliation                | Phone # / FAX #                        |
|--------------------------|----------------------------|--|
| 1 <u>Barney Chan</u>     | <u>ACEH</u>                | <u>510-567-6767 / 570-337-9335</u>     |
| 2 <u>Donna Drogos</u>    | <u>ACEH</u>                | <u>507-6721 /</u>                      |
| 3 <u>Deborah Castles</u> | <u>Aegis</u>               | <u>232002 /</u>                        |
| 4 <u>John Cavanaugh</u>  | <u>ERM JOHN. CAVANAUGH</u> | <u>ERM.CCA 946-0455 / 925 946 9968</u> |
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DEBORAH M. CASTLES  
VICE PRESIDENT  
AEGIS EQUITY PARTNERS, INC  
130 WEBSTER STREET, SUITE 200  
OAKLAND, CALIFORNIA 94607  
deborah@aegisrealty.com  
DIRECT 510.273.2002  
FAX 510.251.0747

John Cavanaugh, R.G.  
Program Director

Environmental Resources Management  
1777 Botelho Drive, Suite 260  
Walnut Creek, CA 94596  
(925) 946-0455  
(925) 946-9968 (fax)



5-15-06

John Cavanaugh: ENMU West

Deborah Castle - AEOIS

Potential School - Charter

- Give John references for cumulative reports either San Jose (CA) or Xingjia Jing (URS) Celis report.
- intend to leave buildings & tanks in place  
problem: schools ~~on~~ top redundant.

6-1st week of June for any reports (WR/CAP) for County Review



Alameda County  
MAR 15 2006  
Environmental Health

2079  
One Market  
Steuart Tower, Suite 2700  
San Francisco, CA 94105-1475  
Tel 415 228 5400  
Fax 415 228 5450  
www.bcltlaw.com

March 10, 2006

2006 MAR 14 AM 10:39

Barney M. Chan  
Hazardous Materials Specialist  
Alameda County Health Care Services Agency  
Environmental Health Services  
Environmental Protection  
1131 Harbor Bay Parkway, Suite 250  
Alameda, CA 94502-6577

Re: Fuel Leak Case No. RO0000079  
1001 42<sup>nd</sup> Street  
Oakland, California 94608

Dear Mr. Chan:

As you requested during your March 7, 2006 telephone conversation with Robert Kitay of Aqua Science Engineers, Inc., I am writing on behalf of my client, the Edward R. and Elizabeth A. Kozel Charitable Remainder Trust ("Trust"), to confirm the Trust's request for an extension of time to submit the soil removal/corrective action plan and work plan for evaluation of risk to neighboring properties requested in your letter of January 3, 2006. As Mr. Kitay reported to you, the Trust is in the process of concluding a purchase and sale agreement for the property by which the buyer would agree to be responsible for these plans, and the additional time is needed for the buyer to complete its review of these requirements. Once that is complete, we and the buyer expect to request a meeting with you to review the proposed plans.

Thank you for your consideration of this request. If you have any questions, please feel free to call me at (415) 228-5400 or Robert Kitay at (925) 820-9391.

Sincerely,

*Thomas D. Trapp*  
Thomas D. Trapp

TDT/af

cc: Edward Kozel  
Steven Goldberg  
Robert Kitay



~~R-13~~  
R079

Alameda County  
FEB 15 2006  
Environmental Health

February 9, 2006

Mr. Barney Chan  
Hazardous Materials Specialist  
ALAMEDA COUNTY HEALTH CARE SERVICES  
1131 Harbor Bay Parkway  
Alameda, CA 94502-6577

Clayton Project No. 70-03365.04

**Subject: Fuel Leak Case RO0000079**  
**"Kozel Property"**  
**1001 42<sup>nd</sup> St.**  
**Oakland, California**

Dear Mr. Chan:

GreenCity Lofts LLC (GCL) and Clayton Group Services, Inc., a Bureau Veritas Company (Clayton) appreciate receipt of a copy of your letter dated January 3, 2006, which was issued to Mr. and Mrs. Edward Kozel regarding the above referenced subject property. Clayton agrees with your comment (Technical Comment No. 1) that the presence of total petroleum hydrocarbons quantified as mineral spirits (TPH-ms), detected on the Kozel property as well as in Boring BH-MM adjacent to the GCL property, indicates that the migration pathway(s) for TPH-ms extending off-site from the Kozel Site are still uncertain. The existence of the free product plume of TPH-ms on the Kozel property near known gravel channels of high permeability is considered a significant threat to off-site properties. Furthermore, previous discharges from the Kozel property to off-site properties, which are not currently apparent, may have occurred. With respect to these concerns, and to your request that a risk evaluation be performed by the Kozel property on adjacent residential properties immediately to the west, we also would suggest that potential historic and future impacts to the Ennis property (1069-1073 41<sup>st</sup> Street and 4003-4015 Adeline Street) and GCL property be included in that risk evaluation.

As you are already aware, the GCL property underwent comprehensive remedial measures under your agency's oversight, prior to its redevelopment. Extensive and costly excavation of historically-impacted soils, and associated dewatering measures, were performed as part of the GCL site remediation. In consideration of this remediation work already completed and the requirements outlined in your letter, GCL requests that the Source Removal/Corrective Action Plan for the Kozel property be performed concurrently with the risk evaluation for the offsite

Clayton Group Services, Inc.

*A Bureau Veritas Company*  
6920 Koll Center Parkway, Suite 216  
Placanton, California 94566

Main: (925) 426-2600  
Fax: (925) 426-0106  
www.us.bureauveritas.com



Mr. Barney Chan  
ALAMEDA COUNTY HEALTH CARE SERVICES  
February 9, 2006

Page 2

Clayton Project No. 70-03365.04

properties immediately to the west in order to eliminate any ongoing threat to the GCL property. GCL would like to make sure that, having properly cleaned up the GCL property's historical issues already, the remediated GCL property will not be impacted by new contamination from the Kozel Site.

Clayton appreciates the opportunity to comment on your letter. If you have any questions or comments, please do hesitate to contact us at (925) 426-2600.

Sincerely,

Jon A. Rosso, P.E.  
Director  
Environmental Services

cc: Martin Samuels, Green City Lofts, LLC  
Matt Oliver, Green City Lofts, LLC  
Jon Benjamin, Esq., Farella Braun & Martel, LLP  
Tom Trapp, Esq.  
Robert Kitay, ASE



7

ENVIRONMENTAL HEALTH SERVICES

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

January 3, 2006

Mr. and Mrs. Edward Kozel  
20 Oak Knoll Drive  
Healdsburg, CA 95448-3108

Dear Mr. and Mrs. Kozel:

Subject: Fuel Leak Case No. RO0000079, 1001 42<sup>nd</sup> St., Oakland 94608

Alameda County Environmental Health staff has reviewed the files for the subject site including the October 28, 2005 Report of Additional Soil and Groundwater Assessment from Aqua Science Engineers (ASE). This work was previously approved to further characterize the lateral and vertical extent of petroleum contamination from this site. Our office has the following technical comments and requests that you submit the technical report requested below.

TECHNICAL COMMENTS

1. Site Characterization- With the exception of one boring, BH-MM, the extent of Total Petroleum Hydrocarbons as mineral spirits, TPHms, appears to be defined laterally and vertically. We cannot be certain, however, since only one boring was drilled to determine the vertical extent and the migration pathway(s) of dissolved and free product are still uncertain. Although it is true that no evidence has been found to show that free product from your site has impacted the former Dunne Paint property, the existence of your free product plume near known gravel channels of high permeability is considered a significant threat to off-site properties. In addition, risk to the adjacent residential properties to the immediate west of your site must be evaluated. Please include a work plan for this evaluation in the corrective action plan requested below.
2. Chemicals of Concern- No volatile organics via EPA Method 8260 were detected in either soil or groundwater samples during this investigation. Although chlorinated solvents were used and found in the sump near the former furniture refinishing company on-site, these compounds appear not to have impacted soil and groundwater at significant levels. Chlorinated compounds do not require further investigation or analysis at this time.
3. Source Removal/Corrective Action Plan- The presence of free product levels of mineral spirits has been shown to be lying on the southern boundary of the site both on and off-site. The free product requires remediation and we concur with the recommendation for submitting a source removal/corrective action plan. Please submit your plan as requested below.
4. Groundwater Monitoring- monitoring well, MW-B1, was reportedly paved over and therefore, not sampled during the June 2005 sampling. Please locate, check the condition and sample this well as part of your sampling schedule. We concur with the recommendation to monitor the site semi-annually. Please submit your monitoring reports as requested below. At this time, you may omit SVOCs analysis

during sampling. Therefore, groundwater samples should be analyzed for TPHms and VOCs only.

### TECHNICAL REPORT REQUEST

Please submit the following technical reports according to the following schedule:

- June 15, 2006- 1<sup>st</sup> semi-annual monitoring event
- December 15, 2006-2<sup>nd</sup> semi-annual monitoring event
- February 3, 2006- source removal/corrective action plan and work plan for evaluation of risk to neighboring residential properties

### ELECTRONIC SUBMITTAL OF REPORTS

Effective **January 31, 2006**, the Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC) require submission of all reports in electronic form to the county's ftp site. Paper copies of reports will no longer be accepted. The electronic copy replaces the paper copy and will be used for all public information requests, regulatory review, and compliance/enforcement activities. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program ftp site are provided on the attached "Electronic Report Upload (ftp) Instructions." Please do not submit reports as attachments to electronic mail.

Submission of reports to the Alameda County ftp site is an addition to existing requirements for electronic submittal of information to the State Water Resources Control Board (SWRCB) Geotracker website. Submission of reports to the Geotracker website does not fulfill the requirement to submit documents to the Alameda County ftp site. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for groundwater cleanup programs. For several years, responsible parties for cleanup of leaks from underground storage tanks (USTs) have been required to submit groundwater analytical data, surveyed locations of monitor wells, and other data to the Geotracker database over the Internet. Beginning July 1, 2005, electronic submittal of a complete copy of all necessary reports was required in Geotracker (in PDF format). Please visit the SWRCB website for more information on these requirements ([http://www.swrcb.ca.gov/ust/cleanup/electronic\\_reporting](http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting)).

In order to facilitate electronic correspondence, we request that you provide up to date electronic mail addresses for all responsible and interested parties. Please provide current electronic mail addresses and notify us of future changes to electronic mail addresses by sending an electronic mail message to me at [barney.chan@acgov.org](mailto:barney.chan@acgov.org).

### PERJURY STATEMENT

All work plans, technical reports, or technical documents submitted to ACEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I declare, under penalty of perjury, that the information and/or recommendations contained in the attached document or report is true and correct to the best of my knowledge." This letter must be signed by an officer or legally authorized representative of your company. Please include a cover letter satisfying these requirements with all future reports and technical documents submitted for this fuel leak case.



PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

The California Business and Professions Code (Sections 6735, 6835, and 7835.1) requires that work plans and technical or implementation reports containing geologic or engineering evaluations and/or judgments be performed under the direction of an appropriately registered or certified professional. For your submittal to be considered a valid technical report, you are to present site specific data, data interpretations, and recommendations prepared by an appropriately licensed professional and include the professional registration stamp, signature, and statement of professional certification. Please ensure all that all technical reports submitted for this fuel leak case meet this requirement.

UNDERGROUND STORAGE TANK CLEANUP FUND

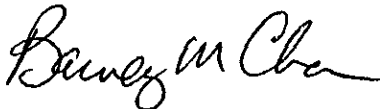
Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

AGENCY OVERSIGHT

If it appears as though significant delays are occurring or reports are not submitted as requested, we will consider referring your case to the Regional Board or other appropriate agency, including the County District Attorney, for possible enforcement actions. California Health and Safety Code, Section 25299.76 authorizes enforcement including administrative action or monetary penalties of up to \$10,000 per day for each day of violation.

If you have any questions, please call me at (510) 567-6765.

Sincerely,



Barney M. Chan  
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: files, D. Drogos

Mr. R. Kitay, ASE, Inc., 208 West El Pintado, Danville, CA 94526

Mr. M. Samuels, Green City Development Group, 3675 Del Monte Ave.,  
Oakland, CA 94608

Mr. J. Rosso, Clayton Group Services, A Bureau Veritas Company, 6920 Koll Center  
Parkway, Suite 216, Pleasanton, CA 94566

Mr. Donald Miller, California Linen, 989 41<sup>st</sup> St., Oakland, 94608

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



7

August 5, 2005

Mr. and Mrs. Edward Kozel  
20 Oak Knoll Drive  
Healdsburg, CA 95448-3108

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

Dear Mr. and Mrs. Kozel:

Subject: Fuel Leak Case No. RO0000079, 1001 42<sup>nd</sup> St., Oakland 94608

Alameda County Environmental Health staff has received and reviewed the July 25, 2005 Work Plan Addendum from Aqua Science Engineers (ASE) in response to the County's May 17, 2005 letter. This follows our 6/28/05 meeting with your consultant and attorney, Messrs. Kitay and Trapp. Our office conditionally approves your work plan and has the following technical comments and requests that you submit the technical report requested below.

#### TECHNICAL COMMENTS

1. Previously, we expressed concern over the lack of information, which exists for the northern 2/3rds of the site. You were requested to review historical data to identify possible sources. This information is important since it appears that a yet unidentified source(s) of mineral spirits must have existed to account for the contamination found on the southeastern portion of your site. No additional information was available. Three borings are proposed to determine the northern extent of the contamination. Please expand your investigation should significant contamination be found in any of the three borings.
2. Our office is concerned that contamination may be migrating from your site along narrow permeable lenses ie gravel channel, similar to that observed in neighboring properties. Such channels have been observed to be approximately 15-20' wide. Thus borings just outside of the channel will not detect contamination while borings within the channel may be highly contaminated. This is evident in the results of your prior investigation. These channels likely meander and do not necessarily follow a straight path. This is why a tighter sampling pattern for boring is recommended. We recommend moving the proposed boring near the Emeryville/Oakland border to the west to decrease the gap between it and MW-B3. Based upon the results of your investigation, you may need to expand your sample locations. Similarly, should contamination be found in the borings east of Adeline St., borings should be added to supplement the lone proposed boring.

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



7

May 25, 2005

Mr. and Mrs. Edward Kozel  
20 Oak Knoll Drive  
Healdsburg, CA 95448-3108

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

Dear Mr. and Mrs. Kozel:

Subject: Fuel Leak Case No. RO0000079, 1001 42<sup>nd</sup> St., Oakland 94608

Alameda County Environmental Health staff has reviewed the case file for the subject site including the April 26, 2005 Workplan for Additional Soil and Groundwater Assessment by Aqua Science Engineers (ASE). We find that the work plan is inadequate to assess your site and request that you address the following technical comments and submit the technical report requested below.

#### TECHNICAL COMMENTS

1. The historical site use has not been adequately evaluated. We know that underground storage tanks were located on 41<sup>st</sup> St. and on Linden St. and a sump was located near the former furniture building. However, prior to this configuration, we are aware the former Boysen Paint Co. occupied only the eastern portion of the present site. Therefore, other underground storage tanks were likely located elsewhere on the site to feed the production areas. There is an absence of information on the northern 2/3rds of the property, where sources may have existed in the past. We recommend a thorough Phase I investigation be performed using sources including as Sanborn maps, aerial photos, historic telephone directories, interviews with past employees, past reports and records, search of existing environmental data bases et al. Please provide your Phase I investigation as requested below.
2. Based upon the results of your Phase I investigation and the results of ASE's prior investigation, please provide a revised soil and groundwater investigation work plan. If no additional information is obtained for the northern portion of the site, a grid array of sample locations would be reasonable to assess this area. Samples should be taken to identify potentially submerged impacted soils. In the previous ASE investigation report, samples were not always collected and analyzed below groundwater. The vertical extent of contamination should be determined as this information will be useful in determining risk should groundwater elevations decrease in the future. The estimated extent of free product cannot be explained by currently known sources. Your work plan should attempt to identify reasonable sources for the detected free product.

May 25, 2005  
Mr. and Mrs. Edward Kozel  
RO0000079  
Page 2

- Continuous sampling through vadose and capillary zone is recommended.
3. We find the conclusion that the release from your site has not impacted the former Dunne Paint site unreasonable. Your east-west cross-section shows soils of high permeability within 41<sup>st</sup> St. directly in the path of your estimated free product plume. Low levels of contamination detected in MW-B3, MW-D1 and MW-D2 used to make this conclusion, are likely the result of the extensive dewatering and site mediation at the Dunne Paint site.

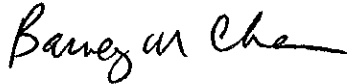
#### TECHNICAL REPORT REQUEST

Please submit the following technical report according to the following schedule.

- June 24, 2005- Phase I report, additional investigation work plan.
- Soil and groundwater report- 90 days after completion of field-work.

If you have any questions, please contact me at (510) 567-6765.

Sincerely,



Barney M. Chan  
Hazardous Materials Specialist

C: files, D. Drogos

Mr. M. Samuels, Green City Development Group, 3675 Del Monte Ave.,  
Oakland, CA 94608

Mr. J. Rosso, Clayton Group Services, 6920 Koll Center Parkway,  
Suite 216, Pleasanton, CA 94566

Mr. Donald Miller, California Linen, 989 41<sup>st</sup> St., Oakland, 94608

5\_25\_05 1001 41st St

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



~~March 18, 2005~~

ENVIRONMENTAL HEALTH SERVICES

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

Mr. Edward Kozel  
20 Oak Knoll Drive  
Healdsburg, CA 95448

Dear Mr. Kozel:

Subject: Fuel Leak Case RO0000079, 1001 42<sup>nd</sup> St., Oakland, CA 94608, Oakland National Engravers (ONE)

Alameda County Environmental Health staff has reviewed the case file for the subject site including the January 19, 2005 *Report of Soil and Groundwater Assessment* by ASE, your consultant. We request that you address the following technical comments and submit the technical report requested below.

TECHNICAL COMMENTS

DEFINITION OF DISSOLVE AND FREE PRODUCT PLUMES

1. Our office concurs with the report's conclusion that the extent of the petroleum (mineral spirits) plume has not yet been defined, both laterally and vertically. We request that you further define the extent of the contamination and suggest the collection of depth discrete soil and groundwater samples. The vertical extent of contamination is of particular concern in locations where permeable soil type is noted in the deepest extent of the boring. We note that the potential impact to neighboring residential properties was not evaluated since the borings proposed near the site boundary were not able to collect water samples. In addition, the extent of free product must be determined and removed to the extent possible. Elevated TPH as mineral spirits was reported in groundwater samples. Please determine what concentrations in groundwater may represent free product and delineate those areas where remediation should be targeted. How will free product be remediated? Please address these items in the requested work plan.

CHEMICALS OF CONCERN

2. Your consultant recommends the elimination of volatile organics analysis, however, before we can concur with this you must show that the detected naphthalene, TCE and acetone are from laboratory contamination or some other artifact. In addition, you must demonstrate that the former sumps at the site, where volatile contaminants were identified, have been adequately assessed. Provide your rationale and justification for elimination of VOC analysis in the requested work plan.

COMPLETENESS OF FIGURES

3. Please show the locations of all former USTs, sumps and other potential contaminant sources on your future submitted figures. These are missing on some of the figures in the referenced report.

March 18, 2005  
Mr. Edward Kozel  
RO0000079, 1001 42<sup>nd</sup> St., Oakland, CA 94608  
Page 2

#### PREFERENTIAL PATHWAY/SITE CONCEPTUAL MODEL

4. The down-gradient migration of the plume is not well understood at this time. Conflicting or lack of data has made the understanding of the site difficult. The following observations require clarification/investigation. No data exists to evaluate the threat to the adjacent residences. The report states that the sewers lines may be acting as preferential pathways, however groundwater samples collected along the sewer line in 41<sup>st</sup> St. detected both elevated and low levels of TPHms, while the wells on the south side of the sewer detected only low levels. To determine the extent and impact of the petroleum release(s), your site conceptual model (SCM) must be confirmed. Additional sampling is necessary to determine the plume migration pathway. To do this, we request that you present a SCM with your hypotheses for plume migration and propose additional investigation to confirm/refute each one. Please provide this in the requested work plan. We urge you to obtain all off-site access agreements now, to facilitate the investigation. Based upon the results of your investigation, it is anticipated that additional monitoring wells will be required.

#### APPROPRIATE CLEAN-UP LEVELS

5. Though the work proposes performing a human health risk assessment for residential exposure, you are reminded that all the appropriate cleanup levels must be considered including nuisance threshold, eco-toxicity and groundwater protection as well as human health.

#### TECHNICAL REPORT REQUEST

- April 20, 2005- Work plan for the lateral and vertical delineation of the plume, determination of free product concentration and location(s) of areas of free product, justification for the elimination of HVOC analysis, work plan for the verification of SCM hypotheses and evaluation of appropriate clean-up levels.

#### PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

The California Business and Professions Code (Sections 6735, 6835, and 7835.1) requires that work plans and technical or implementation reports containing geologic or engineering evaluations and/or judgments be performed under the direction of an appropriately registered or certified professional. For your submittal to be considered a valid technical report, you are to present site specific data, data interpretations, and recommendations prepared by an appropriately licensed professional and include the professional registration stamp, signature, and statement of professional certification. Please ensure all that all technical reports submitted for this fuel leak case meet this requirement.

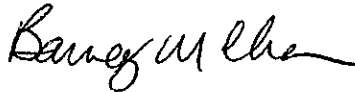
March 18, 2005  
Mr. Edward Kozel  
RO0000079, 1001 42<sup>nd</sup> St., Oakland, CA 94608  
Page 3

PERJURY STATEMENT

All work plans, technical reports, or technical documents submitted to ACEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I declare, under penalty of perjury, that the information and/or recommendations contained in the attached document or report is true and correct to the best of my knowledge." This letter must be signed by an officer or legally authorized representative of your company. Please include a cover letter satisfying these requirements with all future reports and technical documents submitted for this fuel leak case.

You may contact me at (510) 567-6765 if you have any questions.

Sincerely,



Barney M. Chan,  
Hazardous Materials Specialist

C: files, D. Drogos

Mr. Robert Kitay, ASE, Inc., 208 West El Pintado, Danville, CA 94526

Ms. Kim Kraft, ONE Color Communications, 1001 42<sup>nd</sup> St., Oakland, CA 94608

Mr. Martin Samuels, Green City Development Group, 3675 Del Monte Ave.,  
Oakland, 94608

Mr. Jon Rosso, Clayton Group Services, 6920 Koll Center Parkway, Suite 216,  
Pleasanton, CA 94566

Mr. Donald Miller, California Linen, 989 41<sup>st</sup> St., Oakland, CA 94608

ONE 3-18-05

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



ENVIRONMENTAL HEALTH SERVICES

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

September 1, 2004

Mr. Edward Kozel  
20 Oak Knoll Drive  
Healdsburg, CA 95448

Dear Mr. Kozel:

Subject: Fuel Leak Case RO0000079, 1001 42<sup>nd</sup> St., Oakland, CA 94608  
Former Oakland National Engravers (ONE)

Alameda County Environmental Health staff has reviewed the July 23, 2004 Aqua Science Engineers report entitled *Area Conduit Study, Area Well Survey, and Workplan for Additional Soil and Groundwater Assessment* and the August 11, 2004 Quarterly Groundwater Monitoring Report for the referenced site. The reports respond to the County's April 2, 2004 letter. We find that this report generally satisfies the County's concerns, however, we request that you address the following technical comments when performing the proposed work.

TECHNICAL COMMENTS

1. Please confirm that well LD4 has been properly closed. The report states that this well was filled with concrete and that no record of proper well closure exists. If necessary, this well must be properly decommissioned.
2. Please confirm the locations of the above ground tanks noted to have existed at the sites on your site map. Please also provide, if available, their sizes, contents and use history.
3. It was noted that in your site map, the location of the former loading dock underground tank is just east of MW-LD4, unlike that shown in prior reports. Please explain how the location of the former UST was verified.
4. To delineate the soil and groundwater plume, investigate the potential of preferential pathway migration and investigate other potential source areas, (17) boring locations are proposed for sampling. Please note, our office has requested an additional (4) borings as discussed with your consultant. Soil borings will be continuously cored to the depth of groundwater. Soil samples should be collected every five feet, at changes in lithology, at locations of noted contamination and at the capillary fringe. Groundwater samples should be collected through a screen interval of no greater than 2'. The vertical extent of contamination should be determined regardless of the presence of groundwater. All samples should be analyzed for TPH, (as reported in the gasoline, mineral spirits, diesel and motor oil range) and VOCs by EPA Method 8260. Each boring should be logged and the presence of permeable layers, especially sand and gravel, noted. A cross-sectional diagram extending off-site should be provided in your report.



Mr. Edward Kozel  
RO0000079, 1001 42<sup>nd</sup> St., Oakland, CA 94608  
September 1, 2004  
Page 2

5. Please describe the activities, equipment and chemical usage in the buildings identified in Figure 4 of the report as the Former Etching Room, Former Rockridge Furniture Building, Former Drum Storage and Maintenance Shop.
6. Our office concurs with the recommendation to initiate quarterly groundwater monitoring, coincident with the former Dunne Paint property's monitoring.

Please submit your soil and groundwater investigation report within 60 days after completing your investigation.

You may contact me at (510) 567-6765 if you have any questions.

Sincerely,



Barney M. Chan,  
Hazardous Materials Specialist

C: B. Chan, D. Drogos

Mr. R. Kitay, ASE Inc., 208 W. El Pintado, Danville, CA 94526

Ms. Kim Kraft, ONE Color Communications, 1001 42<sup>nd</sup> St., Oakland, CA 94608

Mr. Martin Samuels, Green City Development Group, 3675 Del Monte Ave.,  
Oakland, 94608

Mr. Jon Rosso, Clayton Group Services, 6920 Koll Center Parkway, Suite 216,  
Pleasanton, CA 94566

Mr. Donald Miller, California Linen, 989 41<sup>st</sup> St., Oakland, CA 94608

ONE wp 9\_1\_04

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



April 2, 2004

Mr. Edward Kozel  
20 Oak Knoll Drive  
Healdsburg, CA 95448

ENVIRONMENTAL HEALTH SERVICES

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

Dear Mr. Kozel:

Subject: Fuel Leak Case RO0000079, 1001 42<sup>nd</sup> St., Oakland, CA 94608, Oakland National Engravers (ONE)

Alameda County Environmental Health staff has reviewed the case file for the subject site including the April 30, 2003 *Block Environmental Services (BES) Response to Technical Comments*. We find that the response report does not adequately address our March 24, 2003 letter's concern and request that you address the following additional technical comments and submit the technical reports requested below.

#### TECHNICAL COMMENTS

##### Business and Professional's Code

1. The reports for this site submitted from your consultant are not signed and stamped by an appropriate registered professional and are not acceptable for submittal to this office. Pursuant to sections 6735, 7835, and 7835.1 of the California Business and Professions Code, all work and reports which require geologic or engineering evaluations or technical judgments must be performed under the direction of a California Professional Civil Engineer, Certified Engineering Geologist, Registered Geologist, or Certified Hydro geologist. Submittals requiring registration include:
  - 1.1 All reports that involve geologic or engineering evaluations and judgments.
  - 1.2 All proposals and reports for subsurface investigations. These include, but are not limited to, soil borings, monitoring wells, soil-vapor probes, and trenching to retrieve soil/groundwater samples.
  - 1.3 Quarterly monitoring reports that offer, or are required to provide, interpretation of data, conclusions, or recommendations.
  - 1.4 All proposals and reports concerning interim or final remedial actions.

Please note all proposals and reports submitted to this office must be accompanied by a cover letter from the responsible party which states, at a minimum, the following: "I declare, under penalty of perjury, that the information and/or recommendations contained in the attached proposal or report is true and correct." This letter must be signed by an officer or legally authorized representative of your company. Please include a cover letter satisfying these requirements with all future reports submitted for this fuel leak case.

We request that you submit a summary report of your work, signed and stamped by the appropriately registered professional. Regarding the April 30, 2003 letter report, we do not find the technical arguments compelling and the report is not signed and stamped by an appropriate registered professional, and it is rejected.

### Quarterly Groundwater Monitoring

2. Groundwater monitoring has been performed at your site intermittently; in 1991, 1993, 1994, 1998, 1999 and 2000, and in most cases only once per year. We consider this insufficient data upon which to demonstrate a concentration trend. We request that you initiate quarterly groundwater sampling immediately. We further request that ONE and the former Dunne Quality Paints (1007 41<sup>st</sup> St.) commence with coordinated groundwater monitoring during the Second Quarter 2004. Coordination is important to obtain data on water levels and contaminant concentrations at the two sites on the same day. If coordination is not performed, the accuracy of evaluations of plume extent and determinations of commingling could be seriously compromised. Coordination is also important to monitor the changes in groundwater gradient magnitude and direction that can be induced by remedial activities occurring at the sites. Maps and data tables, included with the quarterly monitoring reports for each site, are to include data from wells from both sites.

### Site Characterization/Observations

3. The site has not been adequately characterized. The lateral and vertical extent of source locations and dissolved plumes has not been defined. Since the site has not been adequately characterized, a risk-based evaluation is premature at this time.

In regards to the 10k diesel UST removed from the loading dock in 1987, monitoring well LD4 installed near this UST, possibly within the former tank pit, reported 630,000 ppb TPHms in the last monitoring event, 1/2000. This concentration of mineral spirits represents free product, which must be removed to the extent possible. The source of the release is not well understood nor is the extent of the free product or the dissolved product plume.

The former 8k gallon UST closed-in-place in the sidewalk on 41<sup>st</sup> St. in May 1993 has not been adequately investigated. The contents of this tank consisted of methylene chloride and xylenes in addition to stoddard solvent. The piping run to the tank was observed to have obvious holes. The piping run leading towards the building and property is not shown, nor understood. The sump, located 20 feet northeast of the UST may have been the source of the trench water, found entering the tank pit from beneath the adjacent building. This water sample detected 24,000 ppb TPH (total purgeable hydrocarbons). Therefore, the tank pit area appears to have been impacted by the leaks in the piping and leaks from the sump/trench. The well installed immediately down-gradient of the tank, MW-1, detected free product in 1988. After MW-1 was destroyed, well MWB-1 was installed slightly west of the tank pit, adjacent to a residence, as its replacement. In 9/93, the last time this well was sampled, 43,000 ppb TPHms was detected. This well should be located and redeveloped prior to sampling. Although gradient is in question, a slight northwest gradient could cause the petroleum plume and/or free product to migrate offsite beneath private residences. The incomplete preferential pathway/sensitive receptor survey, (see comment 4), leaves this potential threat unevaluated.

The two sumps located in the loading dock area were closed in April 1994. Monitoring well BES-1, located between the two sumps, initially reported 18,000 ppb TPHd and 12,000 ppb TPHms. A soil sample collected from 8' bgs next to the sumps reported 1400

ppm TPHms, 0.013 ppm TCE, 0.053 ppm cis-DCE and 0.044 ppm trans-DCE. Contrary to your consultant's conclusion, it appears that the sumps have leaked. The last monitoring of BES-1 on 12/99 detected 72,000 ppb TPHms. The extent of this plume and its relationship to the other plumes is currently unknown. Also, please confirm that these sumps are the same sump referenced in the May 1993 UST closure in-place. We request that you submit your proposal for plume definition in the work plan requested below.

The locations of monitoring wells MW-B2 through MW-B4 are not conducive for gradient determination because they are virtually linear, not triangular. With the exception of MW-B4, these wells are not located near the source areas. Additionally, the use of groundwater elevation readings from well LD4 is suspect since the well is located within the former tank pit. In fact, the reliability of the site's gradient is questionable due to the poor array of wells. The wells installed at the former Dunne Paints site located on the south side of 41<sup>st</sup> St. are also installed within the former tank pits, therefore gradient determination using these wells is also suspect.

The four hydropunches drilled in December 1999 and January 2000 provided some information but not enough to conclude that the extent of the petroleum plume(s) has been defined. It is unreasonable to assume that three hydropunch borings could characterize the plumes from the ONE site. Hydropunch HP-1 groundwater results of 21,000 ppb TPHms was collected on December 14, 1999, while HP-1 collected on December 15, 1999 reported <50 ppb. Your consultant explained this as a possible result of cross-contamination. This scenario is extremely unlikely. Cross-contamination would cause a low concentration sample to have slightly higher concentrations but not the extremely high concentration observed in the December 14<sup>th</sup> sample. Because of the extensive investigation performed on the former Dunne Paints site, we now know that there are buried and/or meandering stream channels beneath the Dunne site and vicinity. This preferential pathway allows plume migration and contaminant detection in this discrete channel. The elevated water sample in HP-1 was likely from this gravel channel. We request that you propose investigation sufficient to evaluate the likelihood of plumes originating from your site encountering buried stream channels in the area. Please include this proposal in the work plan requested below.

#### Preferential Pathway Study

4. Our office has reviewed the BES, December 2000 report, which is referenced to contain a preferential pathway and sensitive receptor survey. The referenced report does not include a utility survey or a ¼ mile well survey with the exception of those wells of the immediate former Dunne Paints and California Linen. We request that you perform a preferential pathway study that details the potential migration pathways and potential conduits for horizontal and vertical migration in the vicinity of your site. The utility survey should include map(s) and cross-sections showing the location and depth of all utility lines and trenches. A survey of nearby residences should be done to identify any homes with basements. The well survey should locate wells (all types) within a ¼ mile radius of the site. Show the locations of the wells and the site on a map. List well construction details for each well. Report your results in the work plan requested below.

#### Risk Assessment

5. The risk assessment performed for the site does not address residual TPHms because it states there is no surrogate chemical with comparable properties to it. Our office recommends comparing current soil, groundwater and vapor concentrations with Environmental Screening Levels (ESLs) in the SFRWQCB July 2003 document to determine if there is potential human health or environmental risk. The prior air samples are not considered appropriate samples. Air sampling was done at three locations using a flux chamber. One sample was in the former Dunne Solvent Mixing Room and the other two were within and outside the Office and Printing Building at ONE. Our office has several observations to this investigation. Though the use of a flux chamber is permitted, guidance documents from the LARWQCB and DTSC recommend soil gas sampling via shallow gas probes. The soil gas samples should be taken at locations where contamination would be likely present. To the contrary, the locations sampled in this investigation were not near the source areas or near sensitive receptors. Results from the flux chamber may yield false positive results due to the presence of ambient vapors. This may be the case in the sample taken from the Solvent Mixing Room. After site characterization is complete you should perform your risk assessment. At that time, please determine if a soil vapor sampling work plan is necessary.

#### Maps Inaccurate

6. The figure and site map provided to our office are inaccurate. They are not consistent with the descriptions given in the reports. MW-LD4 suspected as being installed within the tank backfill of the UST removed in 1987 is depicted as being approximately 50 feet from the UST in Figure 2 of the BES March 2000 report. Please correct this information and resubmit a corrected map.

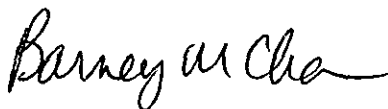
#### TECHNICAL REPORT REQUEST

- April 19, 2004- Written response to this letter, summary report including corrected figure/site map signed and stamped by an appropriate registered professional.
- May 7, 2004- Work Plan for site characterization and results of your preferential pathway study.
- May 15, 2004- 2<sup>nd</sup> Quarter 2004, Quarterly Groundwater Monitoring Report
- August 15, 2004- 3<sup>rd</sup> Quarter 2004, Quarterly Groundwater Monitoring Report
- November 15, 2004- 4<sup>th</sup> Quarter 2004, Quarterly Groundwater Monitoring Report
- February 15, 2005- 1<sup>st</sup> Quarter 2005, Quarterly Groundwater Monitoring Report
- 60 days after work plan approval- Soil and Groundwater Investigation Report
- 60 days after completion of Soil and Groundwater Investigation- Risk Assessment and Soil Vapor Sampling work plan, if necessary.

Mr. Edward Kozel  
RO0000079  
April 2, 2004  
Page 5

You may contact me at (510) 567-6765 if you have any questions.

Sincerely,



Barney M. Chan,  
Hazardous Materials Specialist

C: B. Chan, D. Drogos

Ms. Kim Kraft, ONE Color Communications, 1001 42<sup>nd</sup> St., Oakland, CA 94608

Mr. Martin Samuels, Green City Development Group, 3675 Del Monte Ave., Oakland, 94608

Mr. Jon Rosso, Clayton Group Services, 6920 Koll Center Parkway, Suite 216, Pleasanton,  
CA 94566

Mr. Donald Miller, California Linen, 989 41<sup>st</sup> St., Oakland, CA 94608

ONE 4\_2\_04

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



ENVIRONMENTAL HEALTH SERVICES

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

March 24, 2003

Mr. Edward Kozel  
20 Oak Knoll Drive  
Healdsburg, CA 95448

Dear Mr. Kozel:

Subject: Fuel Leak Case RO0000079, 1001 42<sup>nd</sup> St., Oakland, CA 94608, Oakland National Engravers (ONE)

Alameda County Environmental Health, Local Oversight Program staff has reviewed the case file for the subject site and determined that additional information is required to progress to site closure. We have also reviewed the files for the neighboring sites, former Dunne Paints at 1007 41<sup>st</sup> St. and California Linen at 989 41<sup>st</sup> St., Oakland. We have determined that the release from California Linen has not commingled with either of the other two sites, however, it is likely that the releases from ONE and the former Dunne Paints have commingled. We request that you address the following technical comments when performing the requested work at your site and submit the technical reports requested below.

Technical Comments

1. Though the releases from former Dunne Paints and ONE have likely commingled, Dunne Paints and ONE are independently responsible for the characterization, delineation and potential remediation of their releases. Dunne Paints site will be providing a groundwater delineation and monitoring work plan.
2. Our office does not concur with the prior BES February 2002 Risk Management Plan ONE Color Communications and Green City Lofts conclusion that the health risk at these sites cannot be determined. The SFRWQCB RBSL document offers guidance for evaluation risk of releases from various petroleum fractions.
3. Please provide a table of all historic soil and groundwater concentrations. This data should be from tank removals, sump closures, monitoring well installations, etc. Please indicate data that has since been over-excavated and removed or that which was from a grab groundwater sample.
4. Please provide a site map indicating the locations of all former underground tanks and sumps, be they removed or closed-in-place and monitoring wells, either existing or properly decommissioned. Please note when the well(s) were destroyed and provide all names the well was known as. Please include the construction diagram for well LD-4, the well reportedly constructed within a tank backfill. Please also include the location of existing or former piping, drains or conveyances.
5. Please provide figures indicating the iso-concentration contours for both soil and groundwater on and off-site. Using the estimated solubility of mineral spirits plus prior observations, also include the estimated area of free product on the figure.
6. Please provide a preferential pathway and sensitive receptor survey, including utilities, wells, basements etc.

Mr. Edward Kozel  
RO0000079  
1001 42<sup>nd</sup> St., Oakland, CA 94608  
March 24, 2003  
Page 2

7. Please restart groundwater monitoring from the existing wells. The wells should be analyzed for TPHg, TPHd, TPH ms, BTEX and volatile organics by EPA Method 8260. At least one future monitoring event should be coordinated with Dunne Paints, when their new monitoring well have been installed and with the California Linen site. Your monitoring program should determine groundwater gradient using only those wells where the data is deem reliable and representative.
8. It is believed that upon review of the cumulative data and figures, additional site investigation will be necessary. At a minimum, data evaluating the potential impact to the adjacent residences to the west of this site and potential free product remediation should be considered. Please include a recommendation for additional work in your report.

#### Technical Report Request

Please submit the following technical report to our office according to the following schedule:

- April 30, 2003- Provide the requested tables, site map, well construction diagram, iso-concentration figures.
- May 30, 2003- Provide monitoring report, preferential pathway survey and work plan for additional site investigation.

You may contact me at (510) 567-6765 if you have any questions.

Sincerely,



Barney M. Chan  
Hazardous Materials Specialist

C: B. Chan, D. Drogos, files

Ms. Kim Craft, ONE Color Communications, 1001 42<sup>nd</sup> St., Oakland, CA 94608  
Mr. Martin Samuels, Green City Development Group, 4048 Adeline St., Oakland, 94608  
Mr. Donald Miller, California Linen, 989 41<sup>st</sup> St., Oakland, CA 94608

ONE tech request1001 42nd St



Edward R. Kozel

20 Oak Knoll Drive

Healdsburg, CA. 95448

(707) 433-5737

FAX (707) 433-9618

November 28, 1999

*LOP 805*

Environmental Health Services  
Environmental Protection  
1131 Harbor Bay Parkway  
Alameda, Ca. 94502

Attn. Susan Hugo.

Subject: Certified list of record fee title owners for

Oakland National Engravers (ONE) Color Communications (STID#805)  
1001 42ND Street, Oakland, California 94608.

In accordance with section 25297.15 (a) of chapter 6.7 of the Health & Safety Code, we Edward & Elizabeth Kozel certify that we are the sole landowner for the above site.

Sincerely,

Edward and Elizabeth Kozel.

*E. Kozel*  
*Elizabeth Kozel*

ENVIRONMENTAL  
PROTECTION  
99 NOV 30 PM 1:26

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



ENVIRONMENTAL HEALTH SERVICES  
ENVIRONMENTAL PROTECTION  
1131 Harbor Bay Parkway  
Alameda, CA 94502-6577  
(510) 567-6700  
(510) 337-9432

November 12, 1999

P079

Mr. Edward Kozel  
20 Oak Knoll Drive  
Healdsburg, California 95448

**RE: Oakland National Engravers (ONE) Color Communications (STID# 805)  
1001 42<sup>nd</sup> Street, Oakland, California 94608**

**LANDOWNER NOTIFICATION AND PARTICIPATION REQUIREMENTS**

Dear Mr. Kozel:

This letter is to inform you of new legislative requirements pertaining to cleanup and closure of sites where an unauthorized release of hazardous substance, including petroleum, has occurred from an underground storage tank (UST). Section 25297.15(a) of Ch. 6.7 of the Health & Safety Code requires the primary or active responsible party to notify all current record owners of fee title to the site of: 1) a site cleanup proposal, 2) a site closure proposal, 3) a local agency intention to make a determination that no further action is required, and 4) a local agency intention to issue a closure letter. Section 25297.15(b) requires the local agency to take all reasonable steps to accommodate responsible landowners' participation in the cleanup or site closure process and to consider their input and recommendations.

For purposes of implementing these sections, you have been identified as the primary or active responsible party. Please provide to this agency, within twenty (20) calendar days of receipt of this notice, a complete mailing list of all current record owners of fee title to the site. You may use the enclosed "list of landowners" form (sample letter 2) as a template to comply with this requirement. If the list of current record owners of fee title to the site changes, you must notify the local agency of the change within 20 calendar days from when you are notified of the change.

If you are the sole landowner, please indicate that on the landowner list form. The following notice requirements do not apply to responsible parties who are the sole landowner for the site.

LANDOWNER NOTIFICATION

Re: 1001 42<sup>nd</sup> Street, Oakland

November 12, 1999

Page 2 of 2

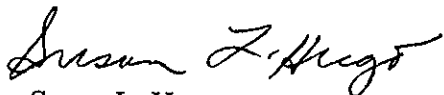
In accordance with Section 25297.15(a) of Ch. 6.7 of the Health & Safety Code, you must certify to the local agency that all current record owners of fee title to the site have been informed of the proposed action before the local agency may do any of the following:

- 1) consider a cleanup proposal (corrective action plan)
- 2) consider a site closure proposal
- 3) make a determination that no further action is required
- 4) issue a closure letter

You may use the enclosed "notice of proposed action" form (sample letter 3) as a template to comply with this requirement. Before approving a cleanup proposal or site closure proposal, determining that no further action is required, or issuing a closure letter, the local agency will take all reasonable steps necessary to accommodate responsible landowner participation in the cleanup and site closure process and will consider all input and recommendations from any responsible landowner.

Please call me at (510) 567-6780 should you have any questions about the content of this letter.

Sincerely,



Susan L. Hugo  
Hazardous Materials Specialist

Attachments

cc: Chuck Headlee, RWQCB  
Ms. Kim Fogerty, ONE, 1001 42<sup>nd</sup> Street, Oakland, CA 94608 (with attachments)  
SH / files

SAMPLE LETTER (2): LIST OF LANDOWNERS FORM

---

Name of local agency  
Street address  
City

SUBJECT: CERTIFIED LIST OF RECORD FEE TITLE OWNERS FOR (*Site Name and Address*)

(Note: Fill out item 1 if there are multiple site landowners. If you are the sole site landowner, skip item 1 and fill out item 2.)

1. In accordance with section 25297.15(a) of Chapter 6.7 of the Health & Safety Code, I, (*name of primary responsible party*), certify that the following is a complete list of current record fee title owners and their mailing addresses for the above site:
  
2. In accordance with section 25297.15(a) of Chapter 6.7 of the Health & Safety Code, I, (*name of primary responsible party*), certify that I am the sole landowner for the above site.

Sincerely,

Signature of primary responsible party

Name of primary responsible party

SAMPLE LETTER 3: NOTICE OF PROPOSED ACTION SUBMITTED TO LOCAL AGENCY

---

Name of local agency  
Street address  
City

SUBJECT: NOTICE OF PROPOSED ACTION SUBMITTED TO LOCAL AGENCY FOR  
*(Site Name and Address)*

In accordance with section 25297,15(a) of Chapter 6.7 of the Health & Safety Code, I, (*name of primary responsible party*), certify that I have notified all responsible landowners of the enclosed proposed action. Check space for applicable proposed action(s):

- cleanup proposal (corrective action plan)
- site closure proposal
- local agency intention to make a determination that no further action is required
- local agency intention to issue a closure letter

Sincerely,

Signature of primary responsible party

Name of primary responsible party

cc: Names and addresses of all record fee title owners

ALAMEDA COUNTY HAZARDOUS MATERIALS DIVISION  
 DEPOSIT / REFUND ACCOUNT SHEET

printed 07/16/96

SITE INFORMATION

Oakland National Engravers  
 1001 42nd St  
 Emeryville 94608  
 Site Contact:  
 Site Phone :

StID: 805 Site#: 12  
 PROJECT#: 12B  
 PROJECT TYPE: \*\*\* R \*\*\*  
 INSP: Susan Hugo  
 ACCT. SHEET PG #: \_\_\_\_\_

PROPERTY OWNER INFORMATION

Owner Contact:  
 Owner Phone :

PAYOR INFORMATION

One Color Communication  
 1001 42nd St  
 Oakland CA 94608 #782  
 Payor Contact:  
 Payor Phone : 652-9005

| Date     | Action Taken                                    | Time  |       | Hours Spent/Depstd | Hour Balnce | Money Spent/Depositd | Money Balance |
|----------|---|-------|-------|--------------------|-------------|----------------------|---------------|
|          |   | In    | Out   |                    |             |                      |               |
|          | Balance from Prev. Page                         | ..... | ..... | .....              | .....       | .....                | .....         |
| 06/20/95 | Rcpt# 759086<br>Deposit of \$603.00 @ \$94/hour |       |       | +6.41              |             | +\$603.00            |               |
|          | <i>Close this case</i>                          |       |       |                    |             |                      |               |
|          | <i>Zero the balance</i>                         |       |       |                    |             |                      |               |
|          |   |       |       |                    |             |                      |               |
|          |   |       |       |                    |             |                      |               |
|          |   |       |       |                    |             |                      |               |
|          |   |       |       |                    |             |                      |               |
|          |   |       |       |                    |             |                      |               |
|          |   |       |       |                    |             |                      |               |

UPON COMPLETION OF PROJECT

PROJ COMPLETED BY : Thomas Deenoch ATTACH:  State Forms A, B & C  
 Billing Adjustment\*  
 DATE OF COMPLETION : 8-31-99 DATE SENT TO BILLING: \_\_\_\_\_  
 TOTAL COST OF PROJECT: \_\_\_\_\_ REFUND AMOUNT: \_\_\_\_\_ Rev. 5/96

\* Billing adjustment forms needed when site is in our UST program.

| COM No. | REMOTE STATION | START TIME  | DURATION | PAGES | RESULT | USER ID | REMARKS |
|---------|----------------|-------------|----------|-------|--------|---------|---------|
| 606     | 5474129        | 11-12 14:14 | 01'44    | 04/04 | OK     |         |         |

7499402046

**ALAMEDA COUNTY ENVIRONMENTAL HEALTH - HAZARDOUS MATERIALS PROGRAM  
 INFORMATION PER SITE ON ALL DEPOSITS FROM ALL PAYORS**

as of 11/12/98

**DATABASE: DEPREF**

**SITE INFORMATION from DepRef DB**

Oakland National Engravers  
 1001 42nd St  
 Emeryville CA 94608

|                |           |
|----------------|-----------|
| StID: 805      | Site#: 12 |
| Site Complete? |           |

**ALL PAYORS ON SITE**

- > Project# 12A for Payor# 62 O H Materials Corp.  
 3018 B Alvarado St.  
 San Leandro CA 94577
- > Project# 12B for Payor# 782 One Color Communication  
 1001 42nd St  
 Oakland CA 94608

DR: WkShtPay

**DEPOSIT INFORMATION**

| Project#                   | Rcpt#                      | DepDate  | DepAmount  | Proj Type | Deposit Complete | Insp Init | Collect Fees? |
|----------------------------|----------------------------|----------|------------|-----------|------------------|-----------|---------------|
| 12A                        | <-----<br>505512           | 12/01/87 | \$300.00   | M         | 01/01/90         | DB        |               |
|                            | Total Deposit for Project: |          | \$300.00   |           |                  |           |               |
| 12B                        | <-----<br>725518           | 01/21/94 | \$400.00   | R         |                  | BO        |               |
|                            | 759086                     | 06/20/95 | \$603.00   | R         |                  | AG        |               |
|                            | Total Deposit for Project: |          | \$1,003.00 |           |                  |           |               |
| -----                      |                            |          |            |           |                  |           |               |
| Total Deps for all Sites : |                            |          | \$1,303.00 |           |                  |           |               |

Report WkShtDep Complete; 3/97

LAST WORK DATE FROM BILLING ON THIS SITE:

ALAMEDA COUNTY ENVIRONMENTAL HEALTH - HAZARDOUS MATERIALS PROGRAM  
 INFORMATION PER SITE ON ALL DEPOSITS FROM ALL PAYORS

as of 11/12/98

DATABASE: DEPREF

SITE INFORMATION from DepRef DB

Oakland National Engravers  
 1001 42nd St  
 Emeryville CA 94608

|                |           |
|----------------|-----------|
| StID: 805      | Site#: 12 |
| Site Complete? |           |

ALL PAYORS ON SITE

- > Project# 12A for Payor# 62 O H Materials Corp.  
 3018 B Alvarado St.  
 San Leandro CA 94577
- > Project# 12B for Payor# 782 One Color Communication  
 1001 42nd St  
 Oakland CA 94608

DR:WkShtPay

DEPOSIT INFORMATION

| Project# | Rcpt#            | DepDate  | DepAmount                  | Proj Type  | Deposit Complete | Insp Init | Collect Fees? |
|----------|------------------|----------|----------------------------|------------|------------------|-----------|---------------|
| 12A      | <-----<br>505512 | 12/01/87 | \$300.00                   | M          | 01/01/90         | DB        |               |
|          |                  |          | Total Deposit for Project: | \$300.00   |                  |           |               |
| 12B      | <-----<br>725518 | 01/21/94 | \$400.00                   | R          |                  | BO        |               |
|          | 759086           | 06/20/95 | \$603.00                   | R          |                  | AG        |               |
|          |                  |          | Total Deposit for Project: | \$1,003.00 |                  |           |               |
|          |                  |          | -----                      |            |                  |           |               |
|          |                  |          | Total Deps for all Sites : | \$1,303.00 |                  |           |               |

Report WkShtDep Complete; 3/97

LAST WORK DATE FROM BILLING ON THIS SITE:

805

|                   |           |      |          |            |   |
|-------------------|-----------|------|----------|------------|---|
| Post-it® Fax Note | 7671      | Date | 11/11/98 | # of pages | 4 |
| To                | KIM CRAFT |      |          |            |   |
| Co /Dept.         |           |      |          |            |   |
| Phone #           | 567-6876  |      |          |            |   |
| Fax #             | 547-4129  |      |          |            |   |

*total 81120*



Printed: 11/12/98

\*\*\*\*\* Alameda County Department of Environmental Health \*\*\*\*\*  
BILLING's WORKLOG: Total Deposit/Refund History for All Accounts at Site  
~~~~~

\*\* SITE INFORMATION \*\*

Site#: 12 -- StID: 805 Oakland Nat'l Engravers  
Date Open: 11/23/87 1001 --42nd Street  
Date Closed: Emeryville CA 94608

\*\* PAYOR INFORMATION \*\*

> Project # ----12A for Payor # 782 ONE COLOR COMMUNICATIONS  
1001 --42ND STREET  
OAKLAND CA 94608

\*\* DEPOSIT HISTORY \*\*

| Proj#   | Deposit Date | Receipt# | Amount Received |
|---------|--------------|----------|-----------------|
| ----12A | 11/23/87     | 505512   | \$ 300.00       |
| ----12A | 01/21/94     | 725518   | \$ 400.00       |
|         |              |          | =====           |
|         |              |          | \$ 700.00       |
| ----12B | 06/20/95     | 759086   | \$ 603.00       |
|         |              |          | =====           |
|         |              |          | \$ 603.00       |

\*\* WORKLOG HISTORY \*\*

| Proj#   | Work Date | Activity Description        | Insp | Time (hrs) | Amount Charged |
|---------|-----------|-----------------------------|------|------------|----------------|
| ----12A | 11/20/87  | CALL .3 HR @\$53/00         |      |            | \$15.90        |
| ----12A | 12/01/87  | ADMIN FEE AT 25% OF DEPOSIT |      |            | \$75.00        |
| ----12A | 12/05/87  | REVISIONS 1.5 HR @\$53/HR   |      |            | \$79.50        |
| ----12A | 12/24/87  | REVISION .4 HR @\$53/HR     |      |            | \$21.20        |
| ----12A | 02/10/88  | CALL .2 HR @\$53/HR         |      |            | \$10.60        |
| ----12A | 05/18/88  | REPORT REVIEW 1 HR @\$53/HR |      |            | \$53.00        |
| ----12A | 07/22/91  | Review Plans/Reports        | SH   | 2.         | \$134.00       |
| ----12A | 11/18/93  | Investigation On-Site       | BO   | 1.         | \$75.00        |
| ----12a | 01/25/94  | review workplans            |      | 1.         | \$75.00        |

\*\* WORKLOG HISTORY \*\*

|         |          |                                           |    |     |          |
|---------|----------|-------------------------------------------|----|-----|----------|
| ----12B | 07/06/95 | Plan<br>Review:Instal/Mod/Remed<br>or Mtg | SH | 0.5 | \$45.00  |
| ----12B | 07/06/95 | Removal/Installation<br>Meetings          | SH | 1.5 | \$135.00 |
| ----12B | 10/03/95 | Removal<br>Investigation/Follow-up        | SH | 1.5 | \$135.00 |
| ----12B | 11/09/95 | Investigation On-Site                     | SH | 2.5 | \$225.00 |
| ----12B | 04/04/96 | Review Plans/Reports                      | SH | 3.  | \$270.00 |

-----  
\$1,350.00

Balance: -\$747.00 Amount Refunded:

|         |          |                      |     |          |
|---------|----------|----------------------|-----|----------|
| ----12a | 01/26/94 | Letter               | 0.5 | \$37.50  |
| ----12a | 04/24/94 | on site installtaion | 2.  | \$150.00 |
| ----12a | 05/24/94 | copy workplans       | 0.5 | \$37.50  |
|         |          |                      |     | -----    |
|         |          |                      |     | \$764.20 |

Balance: -\$64.20 Amount Refunded:

| Proj#   | Work Date | Activity Description               | Insp | Time (hrs) | Amount Charged |
|---------|-----------|------------------------------------|------|------------|----------------|
| ----12B | 11/28/94  | Investigation On-Site              | BO   | 0.5        | \$45.00        |
| ----12B | 12/14/94  | Review Plans/Reports               | BO   | 0.5        | \$45.00        |
| ----12B | 12/14/94  | Meetings, Consultations            | BO   | 0.5        | \$45.00        |
| ----12B | 12/21/94  | Review Plans/Reports               | BO   | 0.5        | \$45.00        |
| ----12B | 06/15/95  | Removal<br>Investigation/Follow-up | SH   | 1.5        | \$135.00       |
| ----12B | 06/15/95  | Write Letters                      | SH   | 1.5        | \$135.00       |
| ----12B | 06/21/95  | Removal/Installation<br>Meetings   | SH   | 1.         | \$90.00        |

5/11/98

STID 805 (LOP)

ONE - 1001 42nd St. Oakland 94608

Meeting with Ron Block (BES)  
re: site

1) 300 gal UST inside Bldg. closed-in place  
closure letter issued ✓

? 2) 2 pumps = one MW installed, pump closed  
in place: MeCl, TCE detected  
TCE (9.5 ppb) @ 3 ft bgs @ (13 ppb) @ 8 ft bgs  
TPH d; mineral spirits found in H<sub>2</sub>O

9/27/93 soil samples: 17,000 ppb MeCl  
400 " TCE  
14,000 ppb X  
6,100 " T  
1,400 " E

Needs:

1) sample all the wells on site including  
the Quinn's Paint & California Liner Supply  
- elevation readings  
- TPH g d, BTEX, MTBE, & VOCs

2) to mingling of plumes - containment zone  
- closure of 13 sites as one w/ one risk  
management plan or 3 different RMPs.  
- if 1 solvent present only in one site,  
RMP for each individual sites.

ALAMEDA COUNTY  
HEALTH CARE SERVICES



AGENCY  
DAVID J. KEARS, Agency Director

RAFAT A. SHAHID, DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH  
1131 Harbor Bay Parkway  
Alameda, CA 94502-6577  
(510) 567-6777

April 5, 1996

Mr. Gary Leach  
ONE Color Communications  
P.O. Box 8277  
Emeyville, California 94662

RE: Closure-In-Place of One Underground Storage Tank at  
ONE Color Communications - 1001 42nd Street, Oakland  
California 94608

Dear Mr. Leach:

This office has reviewed the Final Closure Report for ONE Color Communication Underground Storage Tank (October 23, 1995) prepared and submitted by Block Environmental Services for the above referenced site.

The report provides the results of the activities conducted during the closure-in-place of the 300 gallon underground storage tank that was uncovered during construction work inside the former neutralization room at the referenced site. Following review of this report, this department is satisfied that the former tank has been closed in full compliance with the requirements of Title 23, California Code of Regulations.

The referenced report documents that no apparent and/or significant release from the former tank has occurred at the site. Therefore, no further investigation or cleanup actions are required. Please be aware that further work may be required if conditions change or a water quality threat related to the tank is discovered at the subject site.

Should you have any questions concerning this letter, please contact me at (510) 567-6780.

Sincerely,

Susan L. Hugo  
Senior Hazardous Materials Specialist

c: Jun Makishima, Interim Director, Environmental Health  
Gordon Coleman, Acting Chief, Environmental Protection / files  
Ronald Block, Block Environmental Services, 1221 Thames Drive  
Concord, CA 94518

April 5, 1996



GARY LEACH  
vice president, finance, c f o  
P.O. Box 8277  
Emeryville 94662  
1001-42nd Street  
Oakland, California 94608  
510-652-9005  
510-450-7224 direct line  
510-547-4129 fax

Mr. Gary Leach  
ONE Color Communications  
P.O. Box 8277  
Emeryville, California 94662

**RE: Closure-In-Place of One Underground Storage Tank at  
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California 94608**

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Concord, CA 94518

ALAMEDA COUNTY ENVIRONMENTAL HEALTH - HAZARDOUS MATERIALS PROGRAM  
 DEPOSIT / REFUND ARCHIVED DAILIES STATEMENT FOR WORK AFTER 04/04/96

database = DAILY ARCHIVES  
 ~~~~~

=====  
 SITE INFORMATION  
 =====

Oakland National Engraving, Inc --- 1001 42nd St  
 StID: 805 Site#: ----12? Oakland CA 94608

=====  
 ARCHIVED DAILY - DEPREF STATEMENT as of 04/06/99  
 =====

--INSPECTOR--

| Act Date | Initial | Time  | \$ Rate | CHARGE | Time  | Charge | Billing Date |
|----------|---------|-------|---------|--------|-------|--------|--------------|
| =====    | =====   | ===== | =====   | =====  | ===== | =====  | =====        |

No Dailies from Archives for this case

ALAMEDA COUNT ENVIRONMENTAL HEALTH - HAZARDOUS MATERIALS PROGRAM  
 DEPOSIT / REFUND ACCOUNT STATEMENT FOR WORK AFTER 04/04/96

as of 04/06/99

database = HAZMAT DAILIES  
 ~~~~~

=====  
 SITE INFORMATION  
 =====

Oakland National Engraving, Inc  
 1001 42nd St  
 Oakland CA 94608  
 StID: 805 Site#: 12

\* IF Site name from HazMat (central) DB  
 differs from DepRef's Site Name,  
 PLEASE RECTIFY WITH LPETERS/CMATYS.

=====  
 WORK LOG INFORMATION FROM DAILIES ( after date 04/04/96 )  
 =====

--INSPECTOR--

-PROJECT TOTALS-

Error Code or

| #   | Act Date | Initial | Time  | \$ Rate | CHARGE | Time  | Charge | Billing Date |
|-----|----------|---------|-------|---------|--------|-------|--------|--------------|
| === | =====    | =====   | ===== | =====   | =====  | ===== | =====  | =====        |

Proj#: 12A - Current Dailies  
 ~~~~~

|   |  |    |      |       |         |      |          |          |
|---|--|----|------|-------|---------|------|----------|----------|
| 1 | 07/22/91                                       | SH | 2.00 | 67.00 | 134.00  | 2.00 | \$134.00 | 07/17/98 |
|   | Activity Code: 75-Review Plans/Reports         |    |      |       |         |      |          |          |
|   | Comment: 1001 42nd St. Emeryville 94608        |    |      |       |         |      |          |          |
| 2 | 11/18/93                                       | BO | 1.00 | 75.00 | \$75.00 | 3.00 | \$209.00 | 07/17/98 |
|   | Activity Code: 73-Investigation On-Site        |    |      |       |         |      |          |          |
|   | Comment: on site with owner initial site visit |    |      |       |         |      |          |          |

- - - SUBTOTAL CURRENT DAILIES, PROJECT 12A 3.00 \$209.00 - - -

Proj#: 12B - Current Dailies  
 ~~~~~

|   |                                           |    |      |       |         |      |         |          |
|---|-------------------------------------------|----|------|-------|---------|------|---------|----------|
| 3 | 11/28/94                                  | BO | 0.50 | 90.00 | \$45.00 | 0.50 | \$45.00 | 12/17/97 |
|   | Activity Code: 73-Investigation On-Site   |    |      |       |         |      |         |          |
|   | Comment:                                  |    |      |       |         |      |         |          |
| 4 | 12/14/94                                  | BO | 0.50 | 90.00 | \$45.00 | 1.00 | \$90.00 | 12/17/97 |
|   | Activity Code: 77-Meetings, Consultations |    |      |       |         |      |         |          |
|   | Comment:                                  |    |      |       |         |      |         |          |

5 12/14/94 BO 0.50 90.00 \$45.00 | 1.50 \$135.00 | 12/17/97  
Activity Code: 75-Review Plans/Reports  
Comment:

6 12/21/94 BO 0.50 90.00 \$45.00 | 2.00 \$180.00 | 12/17/97  
Activity Code: 75-Review Plans/Reports  
Comment: spoke to S Hugo re site case to be completed by her,  
consulted re containinants

- - - SUBTOTAL CURRENT DAILIES, PROJECT 12B 2.00 \$180.00 - - -

Proj#:12B - Current Dailies  
~~~~~

Running Total for proj: 12B is 0.0 hours for \$0.00 page 1

*check w/  
Cardyne  
not listed*



WORK LOG INFORMATION FROM DAILIES ( after date 04/04/96 )

| --INSPECTOR--  |          |         |      |         | -PROJECT TOTALS- |       | Error Code or |              |
|--|----------|---------|------|---------|------------------|-------|---------------|--------------|
| #  | Act Date | Initial | Time | \$ Rate | CHARGE           | Time  | Charge        | Billing Date |
| 7  | 06/15/95 | SH      | 1.50 | 90.00   | 135.00           | 1.50  | \$135.00      | 12/17/97     |
| Activity Code: 40-Removal Investigate / Follow-up  |          |         |      |         |                  |       |               |              |
| Comment: on site meeting with Ron Block & Gary Leach, inspect the abandoned tank, its location inside the building by Linden Street. |          |         |      |         |                  |       |               |              |
| 8  | 06/15/95 | SH      | 1.50 | 90.00   | 135.00           | 3.00  | \$270.00      | 12/17/97     |
| Activity Code: 74-Write Letters  |          |         |      |         |                  |       |               |              |
| Comment: letter out re: closure in place requirements  |          |         |      |         |                  |       |               |              |
| 9  | 06/21/95 | SH      | 1.00 | 90.00   | \$90.00          | 4.00  | \$360.00      | 12/17/97     |
| Activity Code: 47-Removal/Installation Meetings  |          |         |      |         |                  |       |               |              |
| Comment: on site for soil borings  |          |         |      |         |                  |       |               |              |
| 10   | 07/06/95 | SH      | 1.50 | 90.00   | 135.00           | 5.50  | \$495.00      | 12/17/97     |
| Activity Code: 47-Removal/Installation Meetings  |          |         |      |         |                  |       |               |              |
| Comment: on site meeting with Ron Block & Gary Leach re: closing tank in place   |          |         |      |         |                  |       |               |              |
| 11   | 07/06/95 | SH      | 0.50 | 90.00   | \$45.00          | 6.00  | \$540.00      | 12/17/97     |
| Activity Code: 45-Plan Review: Install/Mod/Rem;Mtgs  |          |         |      |         |                  |       |               |              |
| Comment: spoke with Ron Block re: rinsing the tank   |          |         |      |         |                  |       |               |              |
| 12   | 10/03/95 | SH      | 1.50 | 90.00   | 135.00           | 7.50  | \$675.00      | 12/17/97     |
| Activity Code: 40-Removal Investigate / Follow-up  |          |         |      |         |                  |       |               |              |
| Comment: on site for closure of the sump & ustmet Ron Block & Gary Leach   |          |         |      |         |                  |       |               |              |
| 13   | 11/09/95 | SH      | 2.50 | 90.00   | 225.00           | 10.00 | \$900.00      | 12/17/97     |
| Activity Code: 73-Investigation On-Site  |          |         |      |         |                  |       |               |              |
| Comment: on site for backfilling the sump.   |          |         |      |         |                  |       |               |              |
| 14   | 04/04/96 | SH      | 3.00 | 90.00   | 270.00           | 13.00 | 1,170.00      | 12/17/97     |
| Activity Code: 75-Review Plans/Reports   |          |         |      |         |                  |       |               |              |
| Comment: review closure of UST in place, letter out  |          |         |      |         |                  |       |               |              |

SUBTOTAL CURRENT DAILIES, PROJECT 12B

13.00 \$1,170.00

\* ERROR CODE OR BILLING DATE LEGEND:

1/1/97 and beyond: Already, or nearly Debited

1/1/87: Ineligible for Debit: either no deposit or neg. closing balance.

1/\*/86: Error codes: need fixing before debiting.

1/1/85: Pre 1997 DepRef work marked as Available for Debiting.

**CASE COMPLETION STATEMENT**

REFUND RECIPIENT :

Name: \_\_\_\_\_

Address: \_\_\_\_\_

PROJECT # 12A+B

PROJECT COMPLETED BY :

David Deusch

ATTACH:  State Forms A, B & C  
 Billing Adjustment\*

DATE OF COMPLETION :

4-8-99

DATE SENT TO BILLING: \_\_\_/\_\_\_/\_\_\_

TOTAL PROJECT COST :

REFUND AMOUNT: \$ \_\_\_\_\_

Billing adjustment form needed if site is in our UST program.

DRCsCmpl; Rev 6/97

Current HazMat Dailies Statement Complete

TOTAL COUNTS: #Current Dailies: 0 Both Archived & Current: 0

*zero the balance  
close this case  
combine 12 A & 12 B  
close 12 A  
close 12 B*

INSPECTOR'S DAILY ACTIVITY REPORT

01/26/98  
pg 1

Company - Name / Zip  
 Insp Site Insp  
 Inspdate /Assoc ID# Hours Activ.  
 For Brian Oliva  
 ~~~~~  
 UnitN

|                       |    |      |      |     |                                                                                                             |
|-----------------------|----|------|------|-----|-------------------------------------------------------------------------------------------------------------|
| 09/15/97              | BO | 335  | 1.00 | 45  | - re                                                                                                        |
| 09/16/97              | BO | 1232 | 1.50 | 45  | - on site investigation related to the possible release of diesel following investigation/upgrade of piping |
| 09/17/97              | BO | 1753 | 1.00 | 35  | - letter transmitted to RP/consultant/re closure of site                                                    |
| 09/17/97              | BO | 335  | 1.00 | 45  | - results review on phone to consultant                                                                     |
| 09/17/97              | BO | 335  | 1.00 | 45  | - prepared to transfer to top                                                                               |
| 09/18/97              | BO | 1753 | 0.30 | 35  | - faxed materials to consultant regarding site                                                              |
| 09/22/97              | BO | 376  | 1.50 | 93  | - site visit related to closure of the facility                                                             |
| 09/22/97              | BO | 756  | 3.00 | 200 | -                                                                                                           |
| 09/22/97              | BO | 4441 | 2.00 | 200 | - CASE CLOSURE WORK                                                                                         |
| 09/22/97              | BO | 700  | 5.00 | 700 | - OFFICE TRAINING RISKED BASED CLOSURES                                                                     |
| 09/29/97              | BO |      | 0.50 | 82  | - on phone with voice mail for office                                                                       |
| 10/01/97              | BO |      | 2.00 | 90  | - OFF ILL                                                                                                   |
| 10/01/97              | BO | 4441 | 1.50 | 200 | - FILE WORK FOR CLOSURE OF CASE                                                                             |
| 10/01/97              | BO | 700  | 4.50 | 700 | - OFFICE WORK                                                                                               |
| 10/02/97              | BO | 756  | 4.00 | 200 | - completed initial site closure draft                                                                      |
| 10/02/97              | BO | 4441 | 2.00 | 200 | - continued writing case closure summary                                                                    |
| 10/02/97              | BO | 700  | 4.00 | 700 | - review site ust closure documents                                                                         |
| Wednesday: 8.         |    |      |      |     |                                                                                                             |
| Bill Cox San Le/94577 |    |      |      |     |                                                                                                             |
| 232 E 14th St         |    |      |      |     |                                                                                                             |
| Albome Expres/94577   |    |      |      |     |                                                                                                             |
| 100 Doolittle Dr      |    |      |      |     |                                                                                                             |
| Monday : 0.5          |    |      |      |     |                                                                                                             |
| Thursday : 0.3        |    |      |      |     |                                                                                                             |
| RIX Industries/94608  |    |      |      |     |                                                                                                             |
| 6460 Hollis St        |    |      |      |     |                                                                                                             |
| Bill Cox San Le/94577 |    |      |      |     |                                                                                                             |
| 232 E 14th St         |    |      |      |     |                                                                                                             |
| Albome Expres/94577   |    |      |      |     |                                                                                                             |
| 100 Doolittle Dr      |    |      |      |     |                                                                                                             |
| Monday : 11.5         |    |      |      |     |                                                                                                             |
| Thursday : 1.5        |    |      |      |     |                                                                                                             |
| Del Monte Corp./94608 |    |      |      |     |                                                                                                             |
| 1250 Park Ave         |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Del Monte Corp./94608 |    |      |      |     |                                                                                                             |
| 1250 Park Ave         |    |      |      |     |                                                                                                             |
| Del Monte Corp./94608 |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Del Monte Corp./94608 |    |      |      |     |                                                                                                             |
| 1250 Park Ave         |    |      |      |     |                                                                                                             |
| Del Monte Corp./94608 |    |      |      |     |                                                                                                             |
| 1177 47th St          |    |      |      |     |                                                                                                             |
| AC Transit Dist/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 45th St          |    |      |      |     |                                                                                                             |
| Electo Company,/94608 |    |      |      |     |                                                                                                             |
| Monday : 1.           |    |      |      |     |                                                                                                             |
| 1000 4                |    |      |      |     |                                                                                                             |

ALAMEDA COUNTY ENVIRONMENTAL HEALTH / HAZARDOUS MATERIALS DIVISION

80 Swan Way, Room 200 / Oakland, CA 94621 / (510) 271-4320

11/9/95

HAZARDOUS WASTE GENERATOR INSPECTION REPORT

|         |                                                       |           |          |
|---------|-------------------------------------------------------|-----------|----------|
| STID #: | FACILITY NAME:<br><b>ONE COLOR COMMUNICATIONS INC</b> | PG. _____ | OF _____ |
|---------|-------------------------------------------------------|-----------|----------|

|                   |                                |
|-------------------|--------------------------------|
| SUPPLEMENTAL FORM | 1001 42nd St Oakland, CA 94608 |
|-------------------|--------------------------------|

On site: CLOSING the Sump near 41st Street.

Sump was rinsed; backfilled with clean fill & concrete poured by moon. Sump will be permanently closed.

Gary Leach (ONE) & Paul Lafarde (Block E.O.) on site.

The monitoring well near the Sump will be ~~monitored~~ protected for future use.

drain <sup>system</sup> for water run off near the well will be left. Contact Brian Oliva of our office for blow water inspection.

|                              |                             |
|------------------------------|-----------------------------|
| FACILITY CONTACT: Gary Leach | INSPECTED BY: Susan L. Hugo |
| PRINT NAME: GARY LEACH       | DATE: 11/9/95               |

**BES**

**BLOCK ENVIRONMENTAL SERVICES**

2451 Estand Way  
Pleasant Hill, CA 94523  
(510) 682-7200 FAX 686-0399

ENVIRONMENTAL  
PROTECTION  
95 OCT 27 PM 2:22

October 24, 1995

Ms. Susan Hugo  
Alameda County Health Agency  
Division of Environmental Protection  
Department of Environmental Health  
1131 Harbor Bay Parkway, 2nd Floor  
Alameda, CA 94502

**Subject: Final Closure Report for ONE Color Communications Underground Storage Tank**

Dear Ms. Hugo:

Enclosed herein is the subject report. Do not hesitate to contact me if you have any questions.

Very truly yours,  
BLOCK ENVIRONMENTAL SERVICES, INC.



Ronald M. Block, PhD  
Project Manager

white -env.health  
 yellow -facility  
 pink -files

ALAMEDA COUNTY, DEPARTMENT OF ENVIRONMENTAL HEALTH  
 Hazardous Materials Inspection Form

1131 Harbor Bay Pkwy.  
 Suite 250  
 Alameda, CA 94502-6577  
 (510) 567-6700

II, III

Site ID # \_\_\_\_\_ Site Name ONE Today Date 10/3/95

II.A BUSINESS PLANS (Title 19)

- \_\_\_ 1. Immediate Reporting 2703
- \_\_\_ 2. Bus. Plan Sids. 25503(b)
- \_\_\_ 3. RR Cars > 30 days 25503.7
- \_\_\_ 4. Inventory Information 25504(a)
- \_\_\_ 5. Inventory Complete 2730
- \_\_\_ 6. Emergency Response 25504(b)
- \_\_\_ 7. Training 25504(c)
- \_\_\_ 8. Deficiency 25505(a)
- \_\_\_ 9. Modification 25505(b)

II.B ACUTELY HAZ. MAT'L S

- \_\_\_ 10. Registration Form Filed 25533(a)
- \_\_\_ 11. Form Complete 25533(b)
- \_\_\_ 12. RMPP Contents 25534(c)
- \_\_\_ 13. Implement Sch. Req'd? (Y/N) \_\_\_\_\_
- \_\_\_ 14. OffSite Conseq. Assess. 25524(c)
- \_\_\_ 15. Probable Risk Assessment 25534(d)
- \_\_\_ 16. Persons Responsible 25534(g)
- \_\_\_ 17. Certification 25534(i)
- \_\_\_ 18. Exemption Request? (Y/N) \_\_\_\_\_
- \_\_\_ 19. Trade Secret Requested? 25538

III. UNDERGROUND TANKS (Title 23)

- |                               |                                                                                         |
|-------------------------------|-----------------------------------------------------------------------------------------|
| General                       | ___ 1. Permit Application 25284 (H&S)                                                   |
|                               | ___ 2. Pipeline Leak Detection 25292 (H&S)                                              |
|                               | ___ 3. Records Maintenance 2712                                                         |
|                               | ___ 4. Release Report 2651                                                              |
|                               | ___ 5. Closure Plans 2670                                                               |
| Monitoring for Existing Tanks | ___ 6. Method                                                                           |
|                               | 1) Monthly Test                                                                         |
|                               | 2) Daily Vadose<br>Semi-annual groundwater<br>One time soils                            |
|                               | 3) Daily Vadose<br>One time soils<br>Annual tank test                                   |
|                               | 4) Monthly Gndwater<br>One time soils                                                   |
|                               | 5) Daily Inventory<br>Annual tank testing<br>Cont pipe leak det<br>Vadose/gndwater mon. |
|                               | 6) Daily Inventory<br>Annual tank testing<br>Cont pipe leak det                         |
|                               | 7) Weekly Tank Gauge<br>Annual tank testing                                             |
|                               | 8) Annual Tank Testing<br>Daily inventory                                               |
|                               | 9) Other _____                                                                          |
| New Tanks                     | ___ 7. Precs Tank Test 2643                                                             |
|                               | Date: _____                                                                             |
|                               | ___ 8. Inventory Rec. 2644                                                              |
|                               | ___ 9. Soil Testing . 2646                                                              |
|                               | ___ 10. Ground Water. 2647                                                              |
| ___ 11. Monitor Plan 2632     |                                                                                         |
| ___ 12. Access Secure 2634    |                                                                                         |
| ___ 13. Plans Submit 2711     |                                                                                         |
| Date: _____                   |                                                                                         |
| ___ 14. As Built 2635         |                                                                                         |
| Date: _____                   |                                                                                         |

Site Address 1001 42nd Street  
 City Oakland Zip 94609 Phone \_\_\_\_\_

\_\_\_ MAX AMT stored > 500 lbs, 55 gal., 200 cft.?

Inspection Categories:

- \_\_\_ I. Haz. Mat/Waste GENERATOR/TRANSPORTER
- \_\_\_ II. Business Plans, Acute Hazardous Materials
- \_\_\_ III. Underground Tanks

\* Calif. Administration Code (CAC) or the Health & Safety Code (HS&C)

Comments:

On site visit:  
 - Inspect the Sump located at 1010 41st Street near the monitoring well:  
 advise to: Clean the Sump & seal all openings permanently.  
 - Permanently closed one UST inside the building  
 - Permanently closed in place.  
 - will submit a report

Contact: Gary Leach  
 Title: VP, CFO  
 Signature: Gary Leach

Inspector: \_\_\_\_\_  
 Signature: Jason L. (Hug)

II, III

white - env. health  
 yellow - facility  
 pink - files

ALAMEDA COUNTY, DEPARTMENT OF ENVIRONMENTAL HEALTH

1131 Harbor Bay Pkwy.  
 Suite 250  
 Alameda, CA 94502-6577  
 (510) 567-6700

Hazardous Materials Inspection Form

II, III

Site ID # \_\_\_\_\_ Site Name ONE Today Date 10/3/95

II.A BUSINESS PLANS (Title 19)

- \_\_\_ 1. Immediate Reporting 2703
- \_\_\_ 2. Bus. Plan Stds. 25503(b)
- \_\_\_ 3. RR Cars > 30 days 25503.7
- \_\_\_ 4. Inventory Information 25504(a)
- \_\_\_ 5. Inventory Complete 2730
- \_\_\_ 6. Emergency Response 25504(b)
- \_\_\_ 7. Training 25504(c)
- \_\_\_ 8. Deficiency 25505(a)
- \_\_\_ 9. Modification 25505(b)

Site Address 1001 42nd Street  
 City Oakland Zip 94609 Phone \_\_\_\_\_

II.B ACUTELY HAZ. MATLS.

- \_\_\_ 10. Registration Form Filed 25533(a)
- \_\_\_ 11. Form Complete 25533(b)
- \_\_\_ 12. RMPP Contents 25533(c)
- \_\_\_ 13. Implement Sch. Req'd? (Y/N)
- \_\_\_ 14. OffSite Conseq. Assess. 25524(c)
- \_\_\_ 15. Probable Risk Assessment 25534(d)
- \_\_\_ 16. Persons Responsible 25534(g)
- \_\_\_ 17. Certification 25534(f)
- \_\_\_ 18. Exemption Request? (Y/N) 25536(b)
- \_\_\_ 19. Trade Secret Requested? 25538

\_\_\_ MAX AMT stored > 500 lbs, 55 gal., 200 cft.?

Inspection Categories:

- \_\_\_ I. Haz. Mat/Waste GENERATOR/TRANSPORTER
- \_\_\_ II. Business Plans, Acute Hazardous Materials
- \_\_\_ III. Underground Tanks

\* Calif. Administration Code (CAC) or the Health & Safety Code (HS&C)

Comments:

On site visit:  
inspect the sump located at  
1010 41st Street near the  
monitoring well:  
advise to: clean the sump  
& seal all openings permanently.

Permanently closed one NST inside  
the building  
permanently closed in chancel.  
will submit a report

III. UNDERGROUND TANKS (Title 23)

- General
  - \_\_\_ 1. Permit Application 25284 (H&S)
  - \_\_\_ 2. Pipeline Leak Detection 25292 (H&S)
  - \_\_\_ 3. Records Maintenance 2712
  - \_\_\_ 4. Release Report 2651
  - \_\_\_ 5. Closure Plans 2670
- Method
  - 1) Monthly Test
  - 2) Daily Vadose  
Semi-annual groundwater  
One time soils
  - 3) Daily Vadose  
One time soils  
Annual tank test
  - 4) Monthly Groundwater  
One time soils
  - 5) Daily Inventory  
Annual tank testing  
Cont pipe leak det  
Vadose/gndwater mon.
  - 6) Daily Inventory  
Annual tank testing  
Cont pipe leak det
  - 7) Weekly Tank Gauge  
Annual tank testing
  - 8) Annual Tank Testing  
Daily inventory
  - 9) Other \_\_\_\_\_
- 7. Precs Tank Test 2643  
Date: \_\_\_\_\_
- 8. Inventory Rec. 2644
- 9. Soil Testing 2646
- 10. Ground Water 2647
- New Tanks
  - \_\_\_ 11. Monitor Plan 2632
  - \_\_\_ 12. Access, Secure 2634
  - \_\_\_ 13. Plans Submit 2711  
Date: \_\_\_\_\_
  - \_\_\_ 14. As Built 2635  
Date: \_\_\_\_\_

Contact: Gary Leach

Title: VP CFO

Signature: Gary Leach

Inspector: \_\_\_\_\_

Signature: Person F. (unclear)

II, III

7/5/95

ONE 311D 805  
1001 - 4<sup>th</sup> 2<sup>nd</sup> St Oakland 94609

Talked to Ron Block re: results of  
soil sampling - collected 4.5 ft below  
tanks bottom (4.5 ft bags)  
29 inches tanks diameter  
soil sample was dry - all rd. except  
7 ppb benzene  
- increase of 1/2 inch in liquid inside  
tank (3 in water to 3 1/2 inches during measurement)

7/6/95  
(1.5 hrs)

On site met Mr. Ron Block & Gary Lusk  
- measured liquid in the tank 3 5/8 inches  
- rec'd analytical results of soil sample  
all rd except B = 7 ppb

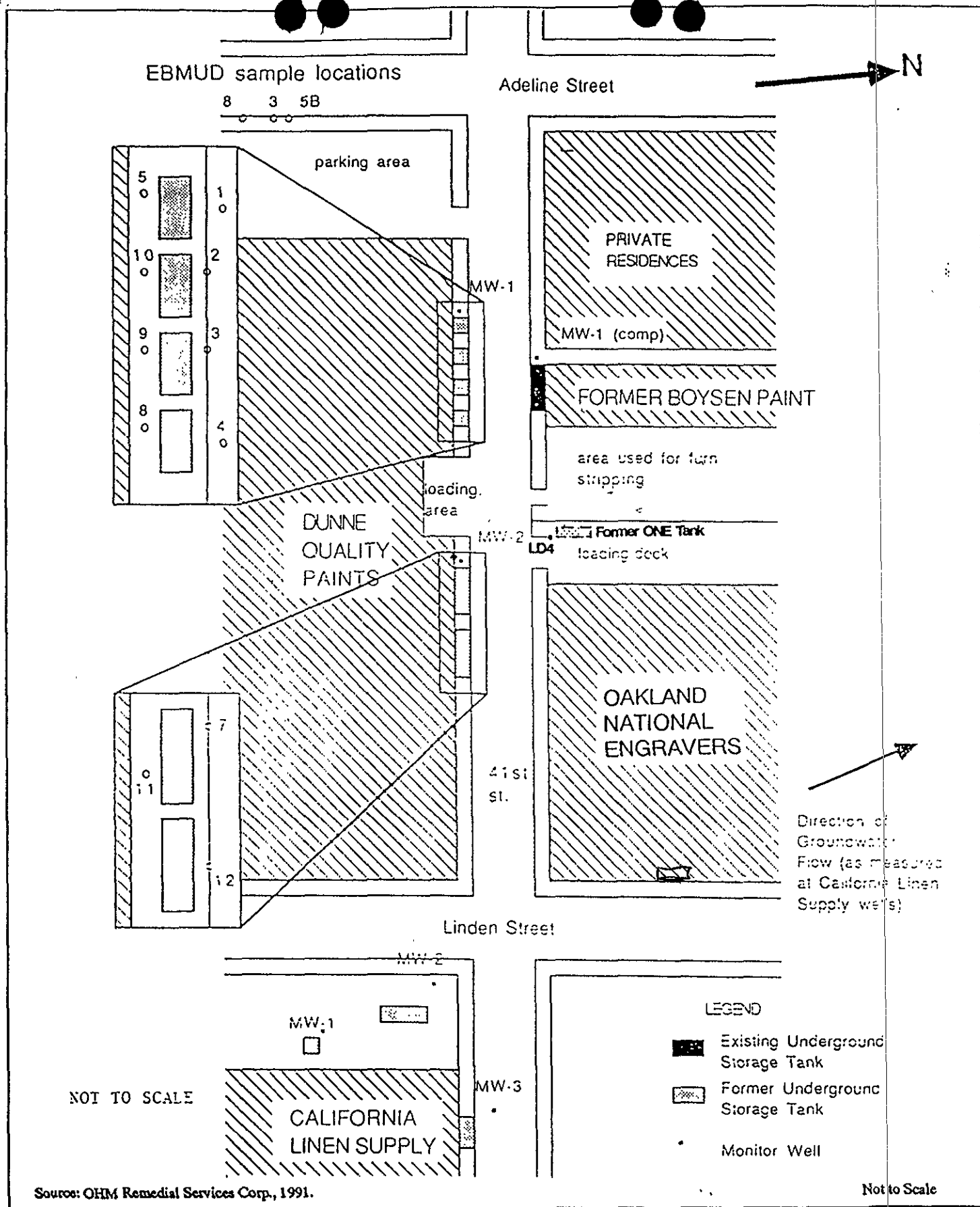
29 in diameter  
69 inches depth of boring  
no associated piping  
- 175 gal liquid present

UST can be closed / rec'd letter from Fire  
dept notice  
Tank raise one time / fill w/ concrete



7/6/98

Asked to run block - missing that will be used  
 but need to conform: D no shulge inside the  
 tank - empty residual contents & discharge  
 always  
 need to maintain LFL & O<sub>2</sub> content  
 after turning over the liquid.  
 - still mostly in advance of my field work.



Source: OHM Remedial Services Corp., 1991.



**ENVIRONMENTAL STRATEGIES CORP.**  
101 Metro Drive Suite 650  
San Jose, California 95110  
408-453-6100

**Figure 2**  
Locations of Present and Former Underground Storage Tanks,  
Former Boysen Paint Company,  
Emeryville, California

# CHROMALAB, INC.

Environmental Services (SDB)

June 30, 1995

Block Environmental Services

Atten: Ron Block

Project: 504  
Received: June 23, 1995

re: 1 sample for Gasoline analysis.  
Method: EPA 5030/8015M


Sampled: June 21, 1995

Matrix: SOIL  
Run: 7426-B

Analyzed: June 29, 1995

| Spl # | Client Sample ID | GASOLINE<br>(mg/Kg) | REPORTING<br>LIMIT<br>(mg/Kg) | BLANK<br>RESULT<br>(mg/Kg) | BLANK SPIKE<br>RESULT<br>(%) |
|-------|------------------|---------------------|-------------------------------|----------------------------|------------------------------|
| 93655 | 1-4.5            | N.D.                | 1.0                           | N.D.                       | 90                           |

  
 Billy Thach  
 Chemist

  
 Ali Kharrazi  
 Organic Manager

Submission #: 9506326

# CHROMALAB, INC.

Environmental Services (SDB)

June 30, 1995

Submission #: 9506326

Block Environmental Services

Atten: Ron Block

Project: 504  
Received: June 23, 1995


re: 1 sample for Diesel analysis.  
Method: EPA 3550/8015M

Sampled: June 21, 1995

Matrix: SOIL  
Run: 7440-Y

Extracted: June 27, 1995  
Analyzed: June 29, 1995

| Spl # | Client | Sample ID | DIESEL<br>(mg/Kg) | REPORTING<br>LIMIT<br>(mg/Kg) | BLANK<br>RESULT<br>(mg/Kg) | BLANK SPIKE<br>RESULT<br>(%) |
|-------|--------|-----------|-------------------|-------------------------------|----------------------------|------------------------------|
| 93655 | 1-4.5  |           | N.D.              | 1.0                           | N.D.                       | 88                           |

  
Alex Tam  
Chemist

  
Ali Kharrazi  
Organic Manager



# CHROMALAB, INC.

Environmental Services (SDB)

June 30, 1995

Submission #: 9506326

page 2

Block Environmental Services

Atten: Ron Block

Project: 504

Received: June 23, 1995

re: One sample for Semivolatile Organic Compounds (B/NAs) analysis, continued.

Method:

EPA 3550/8270

Client Sample ID: 1-4.5

Spl#: 93655

Matrix: SOIL

Extracted: June 26, 1995

Sampled: June 21, 1995

Run: 7436-Y

Analyzed: June 29, 1995

| Analyte                      | RESULT<br>(mg/Kg) | REPORTING<br>LIMIT<br>(mg/Kg) | BLANK<br>RESULT<br>(mg/Kg) | BLANK SPIKE<br>RESULT<br>(%) |
|------------------------------|-------------------|-------------------------------|----------------------------|------------------------------|
| DIETHYL PHTHALATE            | N.D.              | 0.05                          | N.D.                       | --                           |
| 4-CHLOROPHENYL PHENYL ETHER  | N.D.              | 0.05                          | N.D.                       | --                           |
| FLUORENE                     | N.D.              | 0.05                          | N.D.                       | --                           |
| 4-NITROANILINE               | N.D.              | 0.05                          | N.D.                       | --                           |
| 4,6-DINITRO-2-METHYLPHENOL   | N.D.              | 0.25                          | N.D.                       | --                           |
| N-NITROSO-DI-N-PHENYLAMINE   | N.D.              | 0.05                          | N.D.                       | --                           |
| 4-BROMOPHENYL PHENYL ETHER   | N.D.              | 0.05                          | N.D.                       | --                           |
| HEXACHLOROBENZENE            | N.D.              | 0.05                          | N.D.                       | 76                           |
| PENTACHLOROPHENOL            | N.D.              | 0.25                          | N.D.                       | --                           |
| PHENATHRENE                  | N.D.              | 0.05                          | N.D.                       | --                           |
| ANTHRACENE                   | N.D.              | 0.05                          | N.D.                       | --                           |
| DI-N-BUTYL PHTHALATE         | N.D.              | 0.05                          | N.D.                       | --                           |
| FLUORANTHENE                 | N.D.              | 0.05                          | N.D.                       | 77                           |
| PYRENE                       | N.D.              | 0.05                          | N.D.                       | --                           |
| BUTYL BENZYL PHTHALATE       | N.D.              | 0.05                          | N.D.                       | --                           |
| 3,3'-DICHLOROBENZIDINE       | N.D.              | 0.10                          | N.D.                       | --                           |
| BENZO (A) ANTHRACENE         | N.D.              | 0.05                          | N.D.                       | --                           |
| BIS (2-ETHYLHEXYL) PHTHALATE | N.D.              | 0.05                          | N.D.                       | --                           |
| CHRYSENE                     | N.D.              | 0.05                          | N.D.                       | --                           |
| DI-N-OCTYL PHTHALATE         | N.D.              | 0.05                          | N.D.                       | --                           |
| BENZO (B) FLUORANTHENE       | N.D.              | 0.05                          | N.D.                       | --                           |
| BENZO (K) FLUORANTHENE       | N.D.              | 0.05                          | N.D.                       | --                           |
| BENZO (A) PYRENE             | N.D.              | 0.05                          | N.D.                       | --                           |
| INDENO (1,2,3 C,D) PYRENE    | N.D.              | 0.05                          | N.D.                       | --                           |
| DIBENZ (A,H) ANTHRACENE      | N.D.              | 0.05                          | N.D.                       | --                           |
| BENZ (G,H,I) PERYLENE        | N.D.              | 0.05                          | N.D.                       | --                           |

Alex Tam  
Chemist

Ali Kharrazi  
Organic Manager

# CHROMALAB, INC.

Environmental Services (SOB)

June 30, 1995

Submission #: 9506326

Block Environmental Services

Atten: Ron Block

Project: 504

Received: June 23, 1995

re: One sample for Semivolatile Organic Compounds (B/NAs) analysis.

Method: EPA 3550/8270

Client Sample ID: 1-4.5

Spl#: 93655

Sampled: June 21, 1995

Matrix: SOIL

Run: 7436-Y

Extracted: June 26, 1995

Analyzed: June 29, 1995

| Analyte                      | RESULT<br>(mg/Kg) | REPORTING<br>LIMIT<br>(mg/Kg) | BLANK<br>RESULT<br>(mg/Kg) | BLANK SPIKE<br>RESULT<br>(%) |
|------------------------------|-------------------|-------------------------------|----------------------------|------------------------------|
| PHENOL                       | N.D.              | 0.05                          | N.D.                       | --                           |
| BIS(2-CHLOROETHYL) ETHER     | N.D.              | 0.05                          | N.D.                       | --                           |
| 2-CHLOROPHENOL               | N.D.              | 0.05                          | N.D.                       | 62                           |
| 1,3-DICHLOROBENZENE          | N.D.              | 0.05                          | N.D.                       | --                           |
| 1,4-DICHLOROBENZENE          | N.D.              | 0.05                          | N.D.                       | --                           |
| BENZYL ALCOHOL               | N.D.              | 0.05                          | N.D.                       | --                           |
| 1,2-DICHLOROBENZENE          | N.D.              | 0.05                          | N.D.                       | --                           |
| 2-METHYLPHENOL               | N.D.              | 0.05                          | N.D.                       | --                           |
| BIS(2-CHLOROISOPROPYL) ETHER | N.D.              | 0.05                          | N.D.                       | --                           |
| 4-METHYLPHENOL               | N.D.              | 0.05                          | N.D.                       | --                           |
| N-NITROSO-DI-N-PROPYLAMINE   | N.D.              | 0.05                          | N.D.                       | 60                           |
| HEXACHLOROETHANE             | N.D.              | 0.05                          | N.D.                       | --                           |
| NITROBENZENE                 | N.D.              | 0.05                          | N.D.                       | --                           |
| ISOPHORONE                   | N.D.              | 0.05                          | N.D.                       | --                           |
| 2-NITROPHENOL                | N.D.              | 0.05                          | N.D.                       | --                           |
| 2,4-DIMETHYLPHENOL           | N.D.              | 0.05                          | N.D.                       | --                           |
| BIS(2-CHLOROETHOXY) METHANE  | N.D.              | 0.05                          | N.D.                       | --                           |
| 2,4-DICHLOROPHENOL           | N.D.              | 0.05                          | N.D.                       | --                           |
| 1,2,4-TRICHLOROBENZENE       | N.D.              | 0.05                          | N.D.                       | 65                           |
| NAPHTHALENE                  | N.D.              | 0.05                          | N.D.                       | --                           |
| 4-CHLOROANILINE              | N.D.              | 0.05                          | N.D.                       | --                           |
| HEXACHLOROBUTADIENE          | N.D.              | 0.05                          | N.D.                       | --                           |
| 4-CHLORO-3-METHYLPHENOL      | N.D.              | 0.10                          | N.D.                       | 75                           |
| 2-METHYLNAPHTHALENE          | N.D.              | 0.05                          | N.D.                       | --                           |
| HEXACHLOROCYCLOPENTADIENE    | N.D.              | 0.05                          | N.D.                       | --                           |
| 2,4,6-TRICHLOROPHENOL        | N.D.              | 0.05                          | N.D.                       | --                           |
| 2,4,5-TRICHLOROPHENOL        | N.D.              | 0.05                          | N.D.                       | --                           |
| 2-CHLORONAPHTHALENE          | N.D.              | 0.05                          | N.D.                       | --                           |
| 2-NITROANILINE               | N.D.              | 0.05                          | N.D.                       | --                           |
| DIMETHYL PHTHALATE           | N.D.              | 0.05                          | N.D.                       | --                           |
| ACENAPHTHYLENE               | N.D.              | 0.05                          | N.D.                       | --                           |
| 3-NITROANILINE               | N.D.              | 0.05                          | N.D.                       | --                           |
| ACENAPHTHENE                 | N.D.              | 0.05                          | N.D.                       | 75                           |
| 2,4-DINITROPHENOL            | N.D.              | 0.25                          | N.D.                       | --                           |
| 4-NITROPHENOL                | N.D.              | 0.05                          | N.D.                       | --                           |
| DIBENZOFURAN                 | N.D.              | 0.05                          | N.D.                       | --                           |
| 2,4-DINITROTOLUENE           | N.D.              | 0.05                          | N.D.                       | --                           |
| 2,6-DINITROTOLUENE           | N.D.              | 0.05                          | N.D.                       | --                           |

# CHROMALAB, INC.

Environmental Services (SDB)

June 29, 1995

Submission #: 9506326

Block Environmental Services

Atten: Ron Block

Project: 504

Received: June 23, 1995

re: One sample for Volatile Organic Compounds analysis.

Sample ID: 1-4.5

Spl#: 93655

Matrix: SOIL

Sampled: June 21, 1995

Run: 7418-A

Analyzed: June 29, 1995

Method: EPA 8240/8260

| ANALYTE                     | RESULT<br>(ug/Kg) | REPORTING<br>LIMIT<br>(ug/Kg) | BLANK<br>RESULT<br>(ug/Kg) | BLANK SPIKE<br>RESULT<br>(%) |
|-----------------------------|-------------------|-------------------------------|----------------------------|------------------------------|
| ACETONE                     | N.D.              | 10                            | N.D.                       | --                           |
| BENZENE                     | 7.4               | 5.0                           | N.D.                       | 110                          |
| BROMODICHLOROMETHANE        | N.D.              | 5.0                           | N.D.                       | --                           |
| BROMOFORM                   | N.D.              | 5.0                           | N.D.                       | --                           |
| BROMOMETHANE                | N.D.              | 5.0                           | N.D.                       | --                           |
| 2-BUTANONE                  | N.D.              | 5.0                           | N.D.                       | --                           |
| CARBON TETRACHLORIDE        | N.D.              | 5.0                           | N.D.                       | --                           |
| CHLOROBENZENE               | N.D.              | 5.0                           | N.D.                       | 102                          |
| CHLOROETHANE                | N.D.              | 5.0                           | N.D.                       | --                           |
| 2-CHLOROETHYLVINYLETHER     | N.D.              | 5.0                           | N.D.                       | --                           |
| CHLOROFORM                  | N.D.              | 5.0                           | N.D.                       | --                           |
| CHLOROMETHANE               | N.D.              | 5.0                           | N.D.                       | --                           |
| DIBROMOCHLOROMETHANE        | N.D.              | 5.0                           | N.D.                       | --                           |
| 1,1-DICHLOROETHANE          | N.D.              | 5.0                           | N.D.                       | --                           |
| 1,2-DICHLOROETHANE          | N.D.              | 5.0                           | N.D.                       | --                           |
| 1,1-DICHLOROETHENE          | N.D.              | 5.0                           | N.D.                       | --                           |
| 1,2-DICHLOROETHENE (CIS)    | N.D.              | 5.0                           | N.D.                       | 115                          |
| 1,2-DICHLOROETHENE (TRANS)  | N.D.              | 5.0                           | N.D.                       | --                           |
| 1,2-DICHLOROPROPANE         | N.D.              | 5.0                           | N.D.                       | --                           |
| 1,3-DICHLOROPROPENE (CIS)   | N.D.              | 5.0                           | N.D.                       | --                           |
| 1,3-DICHLOROPROPENE (TRANS) | N.D.              | 5.0                           | N.D.                       | --                           |
| ETHYL BENZENE               | N.D.              | 5.0                           | N.D.                       | --                           |
| 2-HEXANONE                  | N.D.              | 5.0                           | N.D.                       | --                           |
| METHYLENE CHLORIDE          | N.D.              | 5.0                           | N.D.                       | --                           |
| 4-METHYL-2-PENTANONE        | N.D.              | 5.0                           | N.D.                       | --                           |
| STYRENE                     | N.D.              | 5.0                           | N.D.                       | --                           |
| 1,1,2,2-TETRACHLOROETHANE   | N.D.              | 5.0                           | N.D.                       | --                           |
| TETRACHLOROETHENE           | N.D.              | 5.0                           | N.D.                       | --                           |
| TOLUENE                     | N.D.              | 5.0                           | N.D.                       | 98                           |
| 1,1,1-TRICHLOROETHANE       | N.D.              | 5.0                           | N.D.                       | --                           |
| 1,1,2-TRICHLOROETHANE       | N.D.              | 5.0                           | N.D.                       | --                           |
| TRICHLOROETHENE             | N.D.              | 5.0                           | N.D.                       | 107                          |
| TRICHLOROFLUOROMETHANE      | N.D.              | 5.0                           | N.D.                       | --                           |
| VINYL ACETATE               | N.D.              | 5.0                           | N.D.                       | --                           |
| VINYL CHLORIDE              | N.D.              | 5.0                           | N.D.                       | --                           |
| TOTAL XYLENES               | N.D.              | 5.0                           | N.D.                       | --                           |

*Aaron McMichael*  
 Aaron McMichael  
 Chemist

*Ali Kharrazi*  
 Ali Kharrazi  
 Organic Manager





*rec'd 7/6/95  
fr. Gary Leach*

CITY OF OAKLAND



421 FOURTEENTH STREET • OAKLAND, CALIFORNIA 94612

Fire Prevention Bureau

(510) 238-3851  
TDD 839-6457

June 29, 1995

Mr. Gary Leach  
O.N.E. Color Communications  
P.O. Box 8277  
Emeryville, CA 94662

RE: Underground Tank at 1001 42nd Street

Dear Gary:

Based on the information from the Alameda County Environmental Health Hazardous Materials Division, I am aware of the underground tank that is inside of your building located at 1001 42nd Street. The Oakland Fire Department is hereby granting approval for the closure in place of the tank. We understand that the tank cannot be removed from the ground without causing structural damage to the buiding.

We agree with your engineer's recommendation of filling the tank with a lean concrete grout mix as specified in his letter, dated December 14, 1994, as 1,000 p.s.i. at 28 days and 3/8" maximum agregate.

If you or Susan Hugo have any questions, please call me at (510) 238-3851.

Sincerely,  
*Jerry E. Blueford*  
Jerry Blueford  
Fire Marshal

JB/af

42nd St. 1000

# CHROMALAB, INC.

Environmental Services (SDB)

June 27, 1995

Submission #: 9506326

Block Environmental Services

Atten: Ron Block

Project: 504

Received: June 23, 1995

re: 1 sample for Oil and Grease analysis.

Sampled: June 21, 1995      Matrix: SOIL      Extracted: June 26, 1995  
 Method: STANDARD METHODS 5520 E&F      Run: 7332-C      Analyzed: June 26, 1995

| Spl # | CLIENT SMPL ID | OIL & GREASE<br>(mg/Kg) | REPORTING<br>LIMIT<br>(mg/Kg) | BLANK<br>RESULT<br>(mg/Kg) | BLANK SPIKE<br>RESULT<br>(%) |
|-------|----------------|-------------------------|-------------------------------|----------------------------|------------------------------|
| 93655 | 1-4.5          | N.D.                    | 50                            | N.D.                       | 88                           |

*Carolyn House*  
 Carolyn House  
 Extractions Supervisor

*Ali Kharrazi*  
 Ali Kharrazi  
 Organic Manager

6/21/95 ONE - 1001 #2nd St. Oakland  
94608

On site - drilling one boring  
down gradient of the tank

Talked to Ron Block:

- 2 inches of liquid measured in the tank
- 1 sample collected at 1 ft deep fr. bottom of  
the tank (approx 4 ft bgs)
- 1 sample collected at 1 1/2 ft deep fr.  
bottom of the tank (approx 7 1/2 ft bgs).
- no noticeable odor

SUSAN L. HULLGRO

Project Specialist

ACCEPTED

Underground Storage Tank Closure Permit Application

Alameda County Division of Hazardous Materials

80 Swan Way, Suite 200,  
Oakland, CA 94621  
Telephone: (510) 271-4320

These closure/removal plans have been received and found to be acceptable and essentially meet the requirements of State and Local Health Laws. Changes to your closure plans indicated by this Department are to assure compliance with State and local laws. The project proposed herein is now released for issuance of any required building permits for construction/destruction.

One copy of the accepted plans must be on the job and available to all contractors and craftsmen involved with the removal. Any changes or alterations of these plans and specifications must be submitted to this Department and to the Fire and Inspections Department to determine if such changes meet the requirements of State and local laws.

Notify this Department at least 72 hours prior to the following required inspections: \*

- \_\_\_\_\_ Removal of Tank(s) and Piping
- \_\_\_\_\_ Sampling
- \_\_\_\_\_ Final Inspection

Issuance of a) permit to operate, b) permanent site closure is dependant on compliance with accepted plans and applicable laws and regulations.

\*THERE IS A FINANCIAL PENALTY FOR NOT OBTAINING THESE INSPECTIONS

Contact Specialist:

*Susan J. Hugo 6/30/95*

ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY  
DEPARTMENT OF ENVIRONMENTAL HEALTH  
ENVIRONMENTAL PROTECTION DIVISION  
1131 HARBOR BAY PARKWAY, RM 250  
ALAMEDA, CA 94502-6577  
PHONE # 510/567-6700  
FAX # 510/337-9335

ENVIRONMENTAL HEALTH  
95 JUN 19 PM 2:55

*CLOSURE IN PLACE*

UNDERGROUND TANK CLOSURE PLAN

\* \* \* Complete according to attached instructions \* \* \*

1. Name of Business O.N.E. Color Communications  
Business Owner or Contact Person (PRINT) Gary Leach
2. Site Address 1001 42nd Street  
City Oakland zip 94608 Phone (510) 652-9005
3. Mailing Address P.O. Box 8277  
City Emeryville zip 94662 Phone (510) 652-9005
4. Property Owner Edward & Elizabeth Kozel  
Business Name (if applicable) \_\_\_\_\_  
Address P.O. Box 8277  
City, state Emeryville: CA zip 94662
5. Generator name under which tank will be manifested  
O.N.E. Color Communications / Oakland National Engraving  
EPA ID# under which tank will be manifested CA 009185307

*to will be closed in place.*

6. Contractor NOT REQUIRED - will be used to close tank in place ✓

Address \_\_\_\_\_

City \_\_\_\_\_ Phone \_\_\_\_\_

License Type\* \_\_\_\_\_ ID# \_\_\_\_\_

\*Effective January 1, 1992, Business and Professional Code Section 7058.7 requires prime contractors to also hold Hazardous Waste Certification issued by the State Contractors License Board.

7. Consultant (if applicable) Block Environmental Services ✓

Address 2455 ESTAND WAY

City, State Pleasant Hill, CA 94523 Phone (510) 682-7200

8. Main Contact Person for Investigation (if applicable)

Name Ronald Block Title Project Manager ✓

Company Block Environmental Services

Phone (510) 692-7200 ✓

9. Number of underground tanks being closed with this plan 1

Length of piping being removed under this plan None - no piping found ✓

Total number of underground tanks at this facility (\*\*confirmed with owner or operator) 1

10. State Registered Hazardous Waste Transporters/Facilities (see instructions).

\*\* Underground storage tanks must be handled as hazardous waste \*\*  
Tank did not contain hazardous constituents defined under the CCR, Title 22 ✓

a) Product/Residual Sludge/Rinsate Transporter  
Not wastewater disposed of as non-hazardous waste on June 15, 1995

Name Enviropur West - PEC Facility EPA I.D. No. \_\_\_\_\_ ✓

Hauler License No. 601013 License Exp. Date \_\_\_\_\_

Address 13331 N. Highway 33,

City Patterson State CA Zip 95363

b) Product/Residual Sludge/Rinsate Disposal Site

Name Rinsate will be disposed of to EAST BAY MUD under current discharge permit ✓  
EPA ID# Permit # 053-90131

Address P.O. Box 24055

City Oakland State CA Zip 94623

c) Tank and Piping Transporter  
Name TANK HAS NO connecting piping EPA I.D. No. \_\_\_\_\_  
Hauler License No. \_\_\_\_\_ License Exp. Date \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

d) Tank and Piping Disposal Site  
Name TANK HAS NO connecting piping EPA I.D. No. \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

11. Sample Collector  
Name Paul Lessard, REA  
Company Block Environmental Services  
Address 2455 ESTABRO WAY  
City Pleasant Hill state CA zip 94523 Phone 682-7200

12. Laboratory  
Name Pace  
Address 1455 McDowell Blvd, North, Suite D  
City Petaluma state CA zip 94954  
State Certification No. will provide with analysis

13. Have tanks or pipes leaked in the past? Yes [ ] No [ ] Unknown   
If yes, describe. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

14. Describe methods to be used for rendering tank inert:

Tank will be grouted with lean concrete mix,  $f_c' = 1000$  psi at 28 days and  $\frac{3}{8}$ " maximum aggregate.

Tank is inert currently - flash pt  $> 60^\circ\text{C}$

Before tanks are pumped out and inerted, all associated piping must be flushed out into the tanks. All accessible associated piping must then be removed. Inaccessible piping must be permanently plugged.

The Bay Area Air Quality Management District, 415/771-6000, along with local Fire and Building Departments, must also be contacted for tank removal permits. Fire departments typically require the use of a combustible gas indicator to verify tank inertness. It is the contractor's responsibility to bring a working combustible gas indicator on-site to verify that the tank is inert.

15. Tank History and Sampling Information \*\*\* (see instructions) \*\*\*

| Tank     |                                                      | Material to be sampled<br>(tank contents, soil,<br>groundwater)                                                                                                                                           | Location and<br>Depth of Samples                                                                                             |
|----------|------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------|
| Capacity | Use History<br>include date last<br>used (estimated) |                                                                                                                                                                                                           |                                                                                                                              |
| 1000 gal | prior to 1980                                        | Tank is currently empty -<br>country has been provided<br>with complete set of<br>chemical analysis prior to<br>pumping of contents. Soil<br>will be sampled per<br>8240/8270, metals and<br>TPH analytes | Soil sample will<br>be collected at a<br>depth of about<br>5.5 ft below<br>surface, about<br>2 feet down gradient<br>of tank |

One soil sample must be collected for every 20 linear feet of piping that is removed. A ground water sample must be collected if any ground water is present in the excavation.

Excavated/Stockpiled Soil

|                                                                                                         |                                                                                                                |
|---------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------|
| <p>Stockpiled Soil Volume (estimated)</p> <p>Limited to Auger cuttings -<br/>4 inch diameter x 5 ft</p> | <p>Sampling Plan</p> <p>6" brass tube will be used to collect soil samples using hand-driven soil sampler.</p> |
|---------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------|

Stockpiled soil must be placed on bermed plastic and must be completely covered by plastic sheeting.

Will the excavated soil be returned to the excavation immediately after tank removal?  yes  no  unknown

If yes, explain reasoning soil from augering will be returned to hole

if no organic odors is present - if organics present, soil will be disposed of after chemical analysis  
 If unknown at this point in time, please be aware that excavated soil may not be returned to the excavation without prior approval from Alameda County. This means that the contractor, consultant, or responsible party must communicate with the Specialist IN ADVANCE of backfilling operations.

16. Chemical methods and associated detection limits to be used for analyzing samples:  
 The Tri-Regional Board recommended minimum verification analyses and practical quantitation reporting limits should be followed.  
 See attached Table 2.

17. Submit Site Health and Safety Plan (See Instructions) See Attached

| Contaminant Sought                       | EPA or Other Sample Preparation Method Number | EPA or Other Analysis Method Number | Method Detection Limit |
|------------------------------------------|-----------------------------------------------|-------------------------------------|------------------------|
| Volatile organics<br>Chlorinated<br>BTEX | Acid Extraction<br><del>EPA method 8240</del> | 8240                                | 10 ug/kg               |
| Semi volatile<br>Compounds               | BASE/Neutral extraction                       | EAA method 8270                     | 10 ug/kg               |
| ICP metals                               |                                               | 6010/200.7 ICP scan                 | 1 ug/kg                |
|                                          |                                               | Se EPA method 7740                  | 1 ug/kg                |
|                                          |                                               | Hg EPA method 7470                  | 1 ug/kg                |
|                                          |                                               | As " " 7060                         | 1 ug/kg                |
| TPH-G<br>TPH-D                           |                                               | EPA 5030<br>EPA 3550                | 1 ppm<br>1 ppm         |



18. Submit Worker's Compensation Certificate copy

Name of Insurer \_\_\_\_\_

19. Submit Plot Plan **\*\*\*(See Instructions)\*\*\***

20. Enclose Deposit (See Instructions)

21. Report any leaks or contamination to this office within 5 days of discovery. The written report shall be made on an Underground Storage Tank Unauthorized Leak/Contamination Site Report (ULR) form.

22. Submit a closure report to this office within 60 days of the tank removal. The report must contain all information listed in item 22 of the instructions.

23. Submit State (Underground Storage Tank Permit Application) Forms A and B (one B form for each UST to be removed) (mark box 8 for "tank removed" in the upper right hand corner)

I declare that to the best of my knowledge and belief that the statements and information provided above are correct and true.

I understand that information, in addition to that provided above, may be needed in order to obtain approval from the Environmental Protection Division and that no work is to begin on this project until this plan is approved.

I understand that any changes in design, materials or equipment will void this plan if prior approval is not obtained.

I understand that all work performed during this project will be done in compliance with all applicable OSHA (Occupational Safety and Health Administration) requirements concerning personnel health and safety. I understand that site and worker safety are solely the responsibility of the property owner or his agent and that this responsibility is not shared nor assumed by the County of Alameda.

Once I have received my stamped, accepted closure plan, I will contact the project Hazardous Materials Specialist at least three working days in advance of site work to schedule the required inspections.

CONTRACTOR INFORMATION

Name of Business Black Environmental Services

Name of Individual Ronald Black

Signature [Signature] Date 6/15/95

PROPERTY OWNER OR MOST RECENT TANK OPERATOR (Circle one)

Name of Business ONE Color Communications

Name of Individual Gary Leach

Signature [Signature] Date 6/16/95

**ALAMEDA COUNTY ENVIRONMENTAL PROTECTION DIVISION**

**DECLARATION OF SITE ACCOUNT REFUND RECIPIENT**

*There may be excess funds remaining in the Site Account at the completion of this project. The PAYOR (person or company that issues the check) will use this form to predesignate, another party to receive any funds refunded at the completion of this project. In the absence of this form, the PAYOR will receive the refund.*

**SITE INFORMATION:**

Site ID Number  
(if known)

ONE Color Communications

Name of site

1001 42nd Street

Street Address

Oakland CA 94608

City, State & Zip Code

I designate the following person or business to receive any refund due at the completion of all deposit/refund projects:

ONE Color Communications

Name

1001 42nd Street

Street Address

Oakland CA 94608

City, State & Zip Code

*Gary Leach*  
Signature of Payor

6/15/95

Date

GARY Leach

Name of Payor

(PLEASE PRINT CLEARLY)

ONE Color Communications  
Company Name of Payor

**RETURN FORM TO:**

County of Alameda, Environmental Protection  
1131 Harbor Bay Parkway, Rm 250  
Alameda CA 94502-6577  
Phone#(510) 567-6700



Site Location  
 Former Rickridge Antiques  
 Oakland, California

**BES** Block Environmental Services

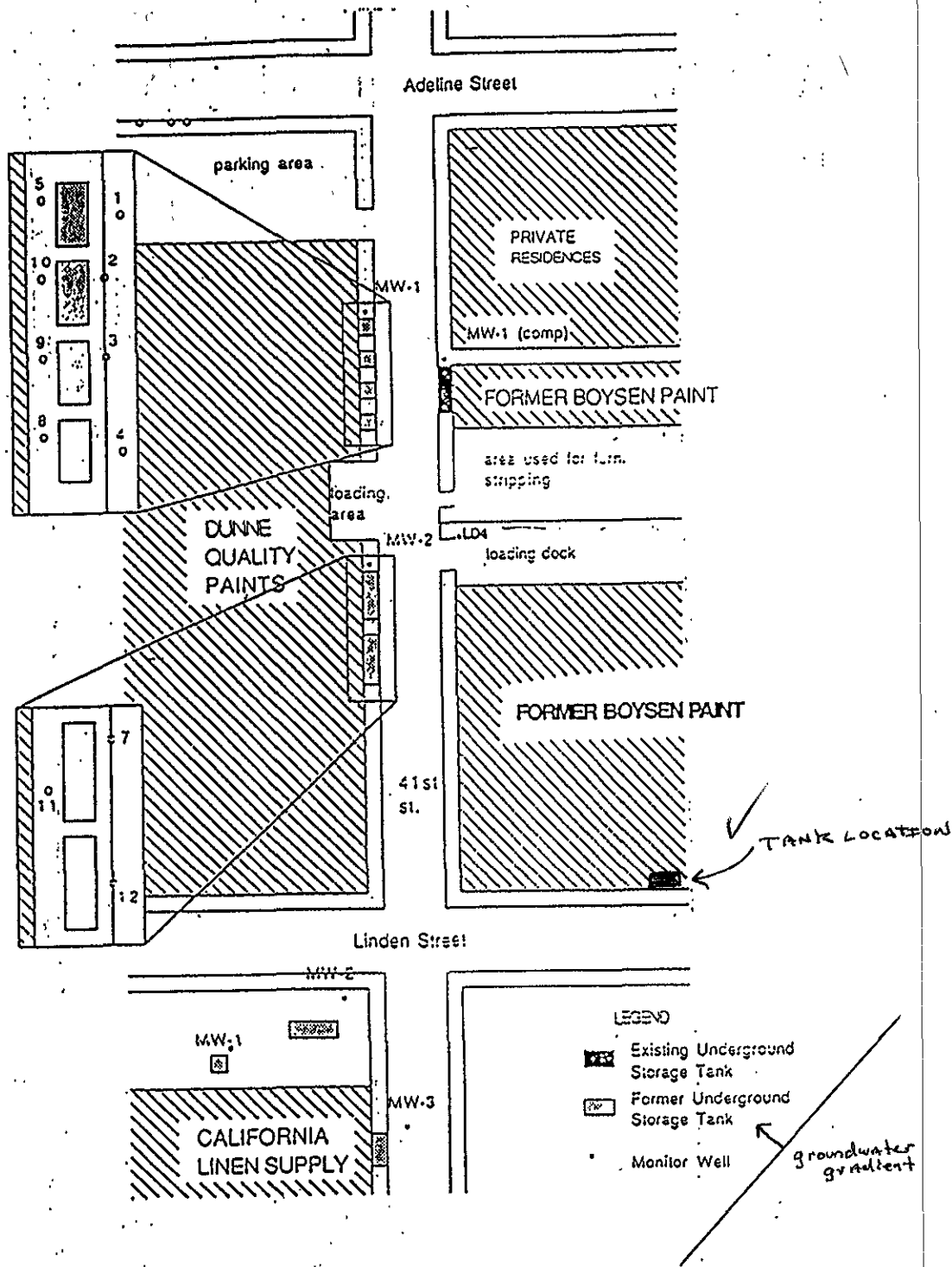
Oakland National Engraving

PLATE

JOB NUMBER  
 306

DATE  
 12/1/93

1



**Site Layout  
Oakland National Engraving  
Oakland, California**

**BES**

Block Environmental Services

**Oakland National Engraving**

PLATE

|                   |             |
|-------------------|-------------|
| <b>JOB NUMBER</b> | <b>DATE</b> |
| 306               | 12/1/93     |

**2**

## BLOCK ENVIRONMENTAL SERVICES SITE SAFETY PLAN

### General information

**Site Name:** Oakland National Engraving

**Site Location:** 1001 42nd Street, Oakland, California

**Prepared by:** Ronald M. Block, Ph.D.

**Date:** June 15, 1995

**Proposed date of Investigation:** June 21, 1995

**Objectives:** Collect soil and grab groundwater sample

**Background review:** Complete

**Overall Hazard:** low

**Site/Waste Characteristics:**

**Contaminate type:** solid

**Characteristic:** no hazardous waste characteristics

**Level of Protection** D

**Facility Description:** There is currently a photoengraving facility and offices on site

**Principal Disposal Method:** Drilling soils will be offhauled to an approved landfill for disposal if necessary

## Site Health and Safety Coordinator Responsibilities

A Site Health and Safety Coordinator will be designated.

The responsibilities of the Site Health and Safety Coordinator will include the following:

- o briefing personnel on the hazards at the site, the standard operating procedures to be employed, and emergency procedures
- o conducting onsite health monitoring
- o coordinating access control and site security
- o monitoring work practices and decontamination to ensure that required procedures are being followed
- o availability to document and respond to any concerns or complaints made by personnel on site
- o documenting unsafe work practices or conditions
- o documenting any accidents or incidents that result in illness or injury to personnel
- o evaluating and amending the Health and Safety Plan daily to remedy deficiencies and post entry briefings

## Contingency Plan and Emergency Procedures

If HNu readings indicate a sudden increase of chemicals in the breathing zone exceeding IDHL levels or if other threatening hazards are noted, BES and its contractors will evacuate the area. No personnel will return unless chemical levels, toxicological judgement, or an emergency response official indicates that it is safe and proper to do so.

To obtain medical assistance as soon as possible in case of emergency, the following telephone numbers, addresses and directions for the nearest medical treatment facilities will be available at the site:

Ambulance: 911

Police: Emeryville Police Department  
2449 Powell  
911 or (510) 596-3737

Fire: Emeryville Fire Department  
4331 San Pablo Avenue  
911 or (510) 652-222

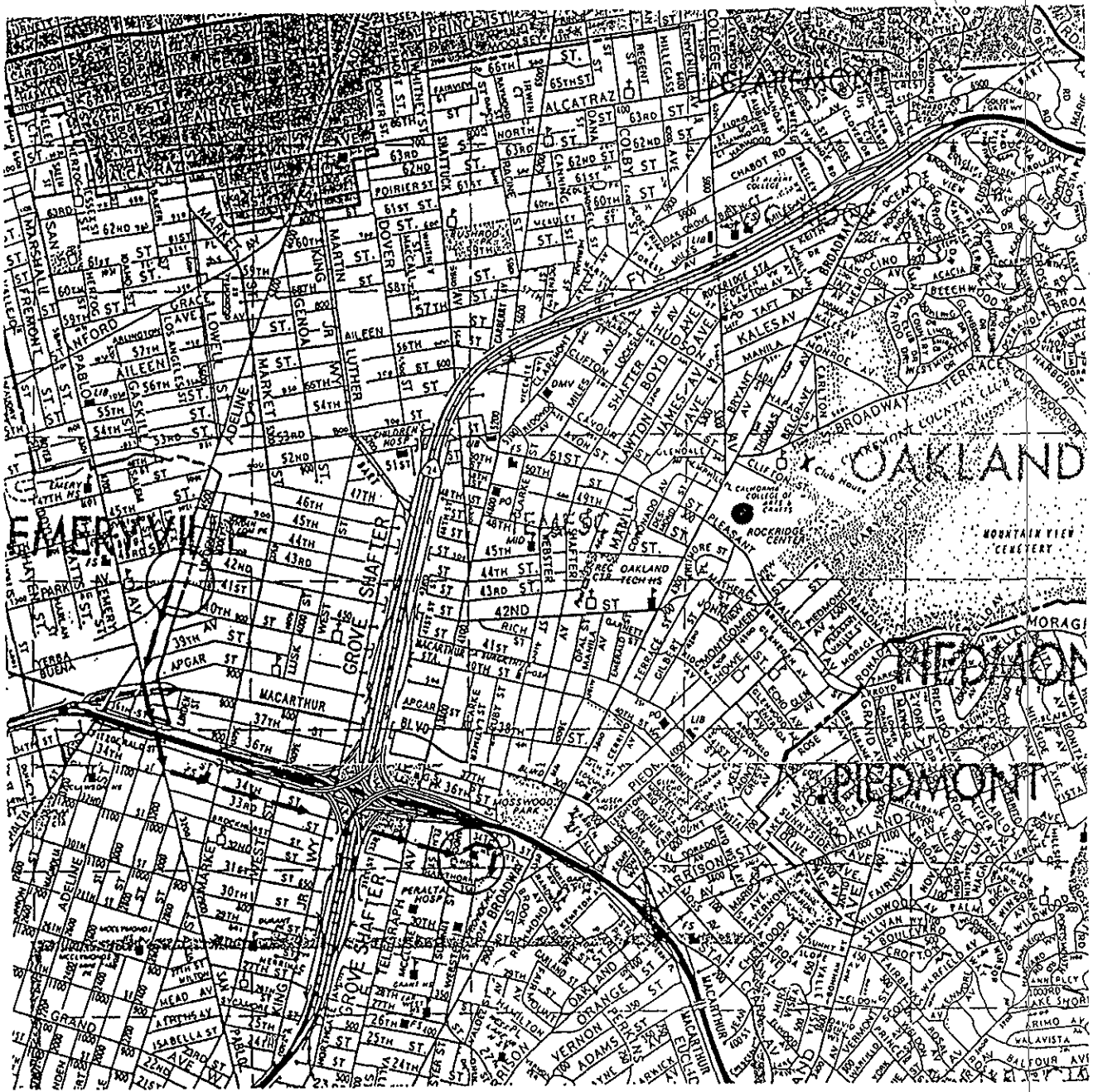
Poison Control Center: 911

Hospital: Merritt Hospital  
Hawthorn Avenue and Webster  
(510) 655-4000

Directions to Hospital: Go west on 41st Street, turn left (south) onto Adeline Street. Turn left onto San Pablo Avenue. Turn left onto 34th Street then right onto Webster. Merritt Hospital is located at the corner of Hawthorn and Webster.

A map showing the route to the hospital is included in the attached Plate.

In an emergency, the primary concern is to prevent loss of life or severe injury to site personnel. If immediate medical treatment is required, decontamination will be delayed until the condition of the first victim has stabilized. If decontamination can be performed without interfering with first aid, or if a worker has been contaminated with an extremely toxic or corrosive material that could cause severe injury, decontamination will be performed immediately. If an emergency caused by a heat-related illness develops, protective clothing will be removed from the victim as soon as possible to reduce heat stress.



1" = 2,200'

Hospital Route Map  
Merritt Hospital  
Oakland, California

Oakland National Engraving

PLATE

JOB NUMBER

DATE

4

306

12/1/93

**BES** Block Environmental Services



# INSTRUCTIONS

## General Instructions

- \* Three (3) copies of this plan plus attachments and a deposit must be submitted to this Department.
- \* Any cutting into tanks requires local fire department approval.
- \* One complete copy of your approved plan must be at the construction site at all times; a copy of your approved plan must also be sent to the landowner.
- \* State of California Permit Application Forms A and B are to be submitted to this office. One Form A per site, one Form B for each removed tank.

## Line Item Specific Instructions

2. SITE ADDRESS  
Address at which closure is taking place.
5. EPA I.D. NO. under which the tanks will be manifested  
EPA I.D. numbers may be obtained from the State Department of Toxic Substances Control, 916/324-1781.
6. CONTRACTOR  
Prime contractor for the project.
10. STATE REGISTERED HAZARDOUS WASTE TRANSPORTERS/FACILITIES
  - a) All residual liquids and sludges are to be removed from tanks before tanks are inerted.
  - c) Tanks must be hauled as hazardous waste.
  - d) This is the place where tanks will be taken for cleaning.
15. TANK HISTORY AND SAMPLING INFORMATION  
Use History - This information is essential and must be accurate. Include tank installation date, products stored in the tank, and the date when the tank was last used.  
  
Material to be sampled - e.g. water, oil, sludge, soil, etc.  
  
Location and depth of samples - e.g. beneath the tank a maximum of two feet below the native soil/backfill interface, side wall at the high water mark, etc.

16. CHEMICAL METHODS AND ASSOCIATED DETECTION LIMITS  
See attached Table 2.

17. SITE HEALTH AND SAFETY PLAN

A site specific Health and Safety plan must be submitted. We advocate the site health and safety plan include the following items, at a minimum:

- a) The name and responsibilities of the site health and safety officer;
- b) An outline of briefings to be held before work each day to appraise employees of site health and safety hazards;
- c) Identification of health and safety hazards of each work task. Include potential fire, explosion, physical, and chemical hazards;
- d) For each hazard, identify the action levels (contaminant concentrations in air) or physical conditions which will trigger changes in work habits to ensure workers are not exposed to unsafe chemical levels or physical conditions;
- e) Description of the work habit changes triggered by the above action levels or physical conditions;
- f) Frequency and types of air and personnel monitoring - along with the environmental sampling techniques and instrumentation - to be used to detect the above action levels. Include instrumentation maintenance and calibration methods and frequencies;
- g) Confined space entry procedures (if applicable);
- h) Decontamination procedures;
- i) Measures to be taken to secure the site, excavation and stockpiled soil during and after work hours (e.g. barricades, caution tape, fencing, trench plates, plastic sheeting, security guards, etc.);
- j) Spill containment/emergency/contingency plan. Be sure to include emergency phone numbers, the location of the phone nearest the site, and directions to the hospital nearest the site;
- k) Documentation that all site workers have received the appropriate OSHA approved trainings and participate in appropriate medical surveillance per 29 CFR 1910.120; and
- l) A page for employees to sign acknowledging that they have read and will comply with the site health and safety plan.

The safety plan must be distributed to all employees and contractors working in hazardous waste operations on site. A complete copy of the site health and safety plan along with any standard operating procedures shall be on site and accessible at all times.

NOTE: These requirements are excerpts from 29 C.F.R. Part 1910.120(b)(4), Hazardous Waste Operations and Emergency Response, Final Rule, March 6, 1989. Safety plans of certain underground tank sites may need to meet the complete requirements of this Rule.

19. PLOT PLAN

The plan should consist of a scaled view of the facility at which the tank(s) are located and should include the following information:

- a) Scale;
- b) North Arrow;
- c) Property Lines;
- d) Location of all Structures;
- e) Location of all relevant existing equipment including tanks and piping to be removed and dispensers;
- f) Streets;
- g) Underground conduits, sewers, water lines, utilities;
- h) Existing wells (drinking, monitoring, etc.);
- i) Depth to ground water; and
- j) All existing tank(s) and piping in addition to the tank(s) being removed.

20. DEPOSIT

A deposit, payable to "County of Alameda" for the amount indicated on the Alameda County Underground Storage Tank Fee Schedule, must accompany the plans.

21. Blank Unauthorized Leak/Contamination Site Report forms may be obtained in limited quantities from this office or from the San Francisco Bay Regional Water Quality Control Board (510/286-1255). Larger quantities may be obtained directly from the State Water Resources Control Board at (916) 739-2421.

22. TANK CLOSURE REPORT

The tank closure report should contain the following information:

- a) General description of the closure activities;
- b) Description of tank, fittings and piping conditions. Indicate tank size and former contents; note any corrosion, pitting, holes, etc.;

- c) Description of the excavation itself. Include the tank and excavation depth, a log of the stratigraphic units encountered within the excavation, a description of root holes or other potential contaminant pathways, the depth to any observed ground water, descriptions and locations of stained or odor-bearing soil, and descriptions of any observed free product or sheen;
- d) Detailed description of sampling methods; i.e. backhoe bucket, drive sampler, bailer, bottle(s), sleeves
- e) Description of any remedial measures conducted at the time of tank removal;
- f) To-scale figures showing the excavation size and depth, nearby buildings, sample locations and depths, and tank and piping locations. Include a copy of the plot plan prepared for the Tank Closure Plan under item 19;
- g) Chain of custody records;
- h) Copies of signed laboratory reports;
- i) Copies of "TSDF to Generator" Manifests for all hazardous wastes hauled offsite (sludge, rinsate, tanks and piping, contaminated soil, etc.); and
- j) Documentation of the disposal of/and volume and final destination of all non-manifested contaminated soil disposed offsite.

TABLE #2  
RECOMMENDED MINIMUM VERIFICATION ANALYSES FOR  
UNDERGROUND TANK LEAKS

| <u>HYDROCARBON LEAK</u>                                                      | <u>SOIL ANALYSIS</u>                            |              | <u>WATER ANALYSIS</u> |                  |
|------------------------------------------------------------------------------|-------------------------------------------------|--------------|-----------------------|------------------|
| Unknown Fuel                                                                 | TPH G                                           | GCFID(5030)  | TPH G                 | GCFID(5030)      |
|                                                                              | TPH D                                           | GCFID(3550)  | TPH D                 | GCFID(3510)      |
|                                                                              | BTX&E                                           | 8020 or 8240 | BTX&E                 | 602, 624 or 8260 |
|                                                                              | TPH AND BTX&E                                   | 8260         |                       |                  |
| Leaded Gas                                                                   | TPH G                                           | GCFID(5030)  | TPH G                 | GCFID(5030)      |
|                                                                              | BTX&E                                           | 8020 OR 8240 | BTX&E                 | 602 or 624       |
|                                                                              | TPH AND BTX&E                                   | 8260         | TOTAL LEAD AA         |                  |
|                                                                              | TOTAL LEAD AA                                   |              |                       |                  |
|                                                                              | -----Optional-----                              |              |                       |                  |
|                                                                              | TEL                                             | DHS-LUFT     | TEL                   | DHS-LUFT         |
|                                                                              | EDB                                             | DHS-AB1803   | EDB                   | DHS-AB1803       |
| Unleaded Gas                                                                 | TPH G                                           | GCFID(5030)  | TPH G                 | GCFID(5030)      |
|                                                                              | BTX&E                                           | 8020 or 8240 | BTX&E                 | 602, 624 or 8260 |
|                                                                              | TPH AND BTX&E                                   | 8260         |                       |                  |
| Diesel, Jet Fuel and Kerosene                                                | TPH D                                           | GCFID(3550)  | TPH D                 | GCFID(3510)      |
|                                                                              | BTX&E                                           | 8020 or 8240 | BTX&E                 | 602, 624 or 8260 |
|                                                                              | TPH AND BTX&E                                   | 8260         |                       |                  |
| Fuel/Heating Oil                                                             | TPH D                                           | GCFID(3550)  | TPH D                 | GCFID(3510)      |
|                                                                              | BTX&E                                           | 8020 or 8240 | BTX&E                 | 602, 624 or 8260 |
|                                                                              | TPH AND BTX&E                                   | 8260         |                       |                  |
| Chlorinated Solvents                                                         | CL HC                                           | 8010 or 8240 | CL HC                 | 601 or 624       |
|                                                                              | BTX&E                                           | 8020 or 8240 | BTX&E                 | 602 or 624       |
|                                                                              | CL HC AND BTX&E                                 | 8260         | CL HC AND BTX&E       | 8260             |
| Non-chlorinated Solvents                                                     | TPH D                                           | GCFID(3550)  | TPH D                 | GCFID(3510)      |
|                                                                              | BTX&E                                           | 8020 or 8240 | BTX&E                 | 602 or 624       |
|                                                                              | TPH AND BTX&E                                   | 8260         | TPH and BTX&E         | 8260             |
| Waste and Used Oil or Unknown (All analyses must be completed and submitted) | TPH G                                           | GCFID(5030)  | TPH G                 | GCFID(5030)      |
|                                                                              | TPH D                                           | GCFID(3550)  | TPH D                 | GCFID(3510)      |
|                                                                              | TPH AND BTX&E                                   | 8260         |                       |                  |
|                                                                              | O & G                                           | 5520 D & F   | O & G                 | 5520 B & F       |
|                                                                              | BTX&E                                           | 8020 or 8240 | BTX&E                 | 602, 624 or 8260 |
|                                                                              | CL HC                                           | 8010 or 8240 | CL HC                 | 601 or 624       |
|                                                                              | ICAP or AA TO DETECT METALS: Cd, Cr, Pb, Zn, Ni |              |                       |                  |
|                                                                              | METHOD 8270 FOR SOIL OR WATER TO DETECT:        |              |                       |                  |
|                                                                              | PCB*                                            |              | PCB                   |                  |
|                                                                              | PCP*                                            |              | PCP                   |                  |
|                                                                              | PNA                                             |              | PNA                   |                  |
|                                                                              | CREOSOTE                                        |              | CREOSOTE              |                  |

\* If found, analyze for dibenzofurans (PCBs) or dioxins (PCP)

Reference: Tri-Regional Board Staff Recommendations for Preliminary Evaluation and Investigation of Underground Tank Sites, 10 August 1990

**EXPLANATION FOR TABLE #2: MINIMUM VERIFICATION ANALYSIS**

1. OTHER METHODOLOGIES are continually being developed and as methods are accepted by EPA or DHS, they also can be used.
2. For DRINKING WATER SOURCES, EPA recommends that the 500 series for volatile organics be used in preference to the 600 series because the detection limits are lower and the QA/QC is better.
3. APPROPRIATE STANDARDS for the materials stored in the tank are to be used for all analyses on Table #2. For instance, seasonally, there may be five different jet fuel mixtures to be considered.
4. To AVOID FALSE POSITIVE detection of benzene, benzene-free solvents are to be used.
5. TOTAL PETROLEUM HYDROCARBONS (TPH) as gasoline (G) and diesel (D) ranges (volatile and extractable, respectively) are to be analyzed and characterized by GC/FID with a fused capillary column and prepared by EPA method 5030 (purge and trap) for volatile hydrocarbons, or extracted by sonication using 3550 methodology for extractable hydrocarbons. Fused capillary columns are preferred to packed columns; a packed column may be used as a "first cut" with "dirty" samples or once the hydrocarbons have been characterized and proper QA/QC is followed.
6. TETRAETHYL LEAD (TEL) analysis may be required if total lead is detected unless the determination is made that the total lead concentration is geogenic (naturally occurring).
7. CHLORINATED HYDROCARBONS (CL HC) AND BENZENE, TOLUENE, XYLENE AND ETHYLBENZENE (BTX&E) are analyzed in soil by EPA methods 8010 and 8020 respectively, (or 8240) and in water, 601 and 602, respectively (or 624).
8. OIL AND GREASE (O & G) may be used when heavy, straight chain hydrocarbons may be present. Infrared analysis by method 418.1 may also be acceptable for O & G if proper standards are used. **Standard Methods" 17th Edition, 1989, has changed the 503 series to 5520.**
9. PRACTICAL QUANTITATION REPORTING LIMITS are influenced by matrix problems and laboratory QA/QC procedures. Following are the Practical Quantitation Reporting Limits:

|       | <u>SOIL PPM</u> | <u>WATER PPB</u> |
|-------|-----------------|------------------|
| TPH G | 1.0             | 50.0             |
| TPH D | 1.0             | 50.0             |
| BTX&E | 0.005           | 0.5              |
| O & G | 50.0            | 5,000.0          |

Based upon a Regional Board survey of Department of Health Services Certified Laboratories, the Practical Quantitation Reporting Limits are attainable by a majority of laboratories with the exception of diesel fuel in soils. The Diesel Practical Quantitation Reporting Limits, shown by the survey, are:

| ROUTINE        | MODIFIED PROTOCOL |
|----------------|-------------------|
| ≤ 10 ppm (42%) | ≤ 10 ppm (10%)    |
| ≤ 5 ppm (19%)  | ≤ 5 ppm (21%)     |
| ≤ 1 ppm (35%)  | ≤ 1 ppm (60%)     |

When the Practical Quantitation Reporting Limits are not achievable, an explanation of the problem is to be submitted on the laboratory data sheets.

- LABORATORY DATA SHEETS are to be signed and submitted and include the laboratory's assessment of the condition of the samples on receipt including temperature, suitable container type, air bubbles present/absent in VOA bottles, proper preservation, etc. The sheets are to include the dates sampled, submitted, prepared for analysis, and analyzed.
- IF PEAKS ARE FOUND, when running samples, that do not conform to the standard, laboratories are to report the peaks, including any unknown complex mixtures that elute at times varying from the standards. Recognizing that these mixtures may be contrary to the standard, they may not be readily identified; however, they are to be reported. At the discretion of the LIA or Regional Board the following information is to be contained in the laboratory report:

The relative retention time for the unknown peak(s) relative to the reference peak in the standard, copies of the chromatogram(s), the type of column used, initial temperature, temperature program is C/minute, and the final temperature.

- REPORTING LIMITS FOR TPH are: gasoline standard ≤ 20 carbon atoms, diesel and jet fuel (kerosene) standard ≤ 50 carbon atoms. It is not necessary to continue the chromatography beyond the limit, standard, or EPA/DHS method protocol (whichever time is greater).

#### EPILOGUE

ADDITIVES: Major oil companies are being encouraged or required by the federal government to reformulate gasoline as cleaner burning fuels to reduce air emissions. MTBE (Methyl-tertiary butyl ether), ETHANOL (ethyl alcohol), and other chemicals may be added to reformulate gasolines to increase the oxygen content in the fuel and thereby decrease undesirable emissions (about four percent with MTBE). MTBE and ethanol are, for practical purposes, soluble in water. The removal from the water column will be difficult. Other compounds are being added by the oil companies for various purposes. The refinements for detection and analysis for all of these additives are still being worked out. If you have any questions about the methodology, please call your Regional Board representative.

CLOSED IN PLACE

ENVIRONMENTAL

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD



UNDERGROUND STORAGE TANK PERMIT APPLICATION - FORM A

COMPLETE THIS FORM FOR EACH FACILITY/SITE

95 JUN 19 PM 2:55

|                    |                                           |                                           |                                                   |                                                               |
|--------------------|-------------------------------------------|-------------------------------------------|---------------------------------------------------|---------------------------------------------------------------|
| MARK ONLY ONE ITEM | <input type="checkbox"/> 1 NEW PERMIT     | <input type="checkbox"/> 3 RENEWAL PERMIT | <input type="checkbox"/> 5 CHANGE OF INFORMATION  | <input checked="" type="checkbox"/> 7 PERMANENTLY CLOSED SITE |
|                    | <input type="checkbox"/> 2 INTERIM PERMIT | <input type="checkbox"/> 4 AMENDED PERMIT | <input type="checkbox"/> 6 TEMPORARY SITE CLOSURE |                                                               |

I. FACILITY/SITE INFORMATION & ADDRESS - (MUST BE COMPLETED)

|                                                                                                                                                                                                                                                                                                                                                          |  |                                              |                                             |                                                               |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|----------------------------------------------|---------------------------------------------|---------------------------------------------------------------|
| DBA OR FACILITY NAME<br><b>O.N.E. Color Communications</b>                                                                                                                                                                                                                                                                                               |  | NAME OF OPERATOR<br><b>Gary Leach</b>        |                                             |                                                               |
| ADDRESS<br><b>1001 42nd Street</b>                                                                                                                                                                                                                                                                                                                       |  | NEAREST CROSS STREET<br><b>Linden Street</b> | PARCEL # (OPTIONAL)                         |                                                               |
| CITY NAME<br><b>Oakland</b>                                                                                                                                                                                                                                                                                                                              |  | STATE<br><b>CA</b>                           | ZIP CODE<br><b>94608</b>                    | SITE PHONE # WITH AREA CODE<br><b>(510) 652-9005</b>          |
| <input checked="" type="checkbox"/> BOX TO INDICATE<br><input checked="" type="checkbox"/> CORPORATION <input type="checkbox"/> INDIVIDUAL <input type="checkbox"/> PARTNERSHIP <input type="checkbox"/> LOCAL AGENCY DISTRICTS* <input type="checkbox"/> COUNTY AGENCY* <input type="checkbox"/> STATE AGENCY* <input type="checkbox"/> FEDERAL AGENCY* |  |                                              |                                             |                                                               |
| * If owner of UST is a public agency, complete the following: name of Supervisor of division, section, or office which operates the UST _____                                                                                                                                                                                                            |  |                                              |                                             |                                                               |
| TYPE OF BUSINESS                                                                                                                                                                                                                                                                                                                                         |  | <input type="checkbox"/> 1 GAS STATION       | <input type="checkbox"/> 2 DISTRIBUTOR      | <input type="checkbox"/> 3 FARM                               |
|                                                                                                                                                                                                                                                                                                                                                          |  | <input type="checkbox"/> 4 PROCESSOR         | <input checked="" type="checkbox"/> 5 OTHER | <input type="checkbox"/> IF INDIAN RESERVATION OR TRUST LANDS |
|                                                                                                                                                                                                                                                                                                                                                          |  | # OF TANKS AT SITE<br><b>1</b>               | E. P. A. I. D. # (optional)                 |                                                               |

EMERGENCY CONTACT PERSON (PRIMARY)

EMERGENCY CONTACT PERSON (SECONDARY) - optional

|                                                  |                                                 |                            |                        |
|--------------------------------------------------|-------------------------------------------------|----------------------------|------------------------|
| DAYS: NAME (LAST, FIRST)<br><b>Leach, Gary</b>   | PHONE # WITH AREA CODE<br><b>(510) 652-9005</b> | DAYS: NAME (LAST, FIRST)   | PHONE # WITH AREA CODE |
| NIGHTS: NAME (LAST, FIRST)<br><b>Leach, Gary</b> | PHONE # WITH AREA CODE<br><b>(510) 538-0258</b> | NIGHTS: NAME (LAST, FIRST) | PHONE # WITH AREA CODE |

II. PROPERTY OWNER INFORMATION - (MUST BE COMPLETED)

|                                                   |  |                                                                                                                                                                                                                                                                                                                                            |                          |                                                 |
|---------------------------------------------------|--|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-------------------------------------------------|
| NAME<br><b>Edward &amp; Elizabeth Kozel</b>       |  | CARE OF ADDRESS INFORMATION<br><b>C/O O.N.E. Color Communications</b>                                                                                                                                                                                                                                                                      |                          |                                                 |
| MAILING OR STREET ADDRESS<br><b>P.O. Box 8277</b> |  | <input checked="" type="checkbox"/> box to indicate<br><input checked="" type="checkbox"/> CORPORATION <input type="checkbox"/> INDIVIDUAL <input type="checkbox"/> PARTNERSHIP <input type="checkbox"/> LOCAL AGENCY <input type="checkbox"/> COUNTY AGENCY <input type="checkbox"/> STATE AGENCY <input type="checkbox"/> FEDERAL AGENCY |                          |                                                 |
| CITY NAME<br><b>Emeryville</b>                    |  | STATE<br><b>CA</b>                                                                                                                                                                                                                                                                                                                         | ZIP CODE<br><b>94662</b> | PHONE # WITH AREA CODE<br><b>(510) 652-9005</b> |

III. TANK OWNER INFORMATION - (MUST BE COMPLETED) (prior owner of building)

|                                    |  |                                                                                                                                                                                                                                                                                                                                            |          |                        |
|------------------------------------|--|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|------------------------|
| NAME OF OWNER<br><b>Grow Group</b> |  | CARE OF ADDRESS INFORMATION                                                                                                                                                                                                                                                                                                                |          |                        |
| MAILING OR STREET ADDRESS          |  | <input checked="" type="checkbox"/> box to indicate<br><input checked="" type="checkbox"/> CORPORATION <input type="checkbox"/> INDIVIDUAL <input type="checkbox"/> PARTNERSHIP <input type="checkbox"/> LOCAL AGENCY <input type="checkbox"/> COUNTY AGENCY <input type="checkbox"/> STATE AGENCY <input type="checkbox"/> FEDERAL AGENCY |          |                        |
| CITY NAME                          |  | STATE                                                                                                                                                                                                                                                                                                                                      | ZIP CODE | PHONE # WITH AREA CODE |

IV. BOARD OF EQUALIZATION UST STORAGE FEE ACCOUNT NUMBER - Call (916) 322-9669 if questions arise.

TY (TK) HQ **44-** [ ] [ ] [ ] [ ] [ ] [ ]

V. PETROLEUM UST FINANCIAL RESPONSIBILITY - (MUST BE COMPLETED) - IDENTIFY THE METHOD(S) USED

|                                                     |                                             |                                      |                                                          |                                        |
|-----------------------------------------------------|---------------------------------------------|--------------------------------------|----------------------------------------------------------|----------------------------------------|
| <input checked="" type="checkbox"/> box to indicate | <input type="checkbox"/> 1 SELF-INSURED     | <input type="checkbox"/> 2 GUARANTEE | <input type="checkbox"/> 3 INSURANCE                     | <input type="checkbox"/> 4 SURETY BOND |
|                                                     | <input type="checkbox"/> 5 LETTER OF CREDIT | <input type="checkbox"/> 6 EXEMPTION | <input checked="" type="checkbox"/> 99 OTHER <b>None</b> |                                        |

VI. LEGAL NOTIFICATION AND BILLING ADDRESS Legal notification and billing will be sent to the tank owner unless box I or II is checked.

CHECK ONE BOX INDICATING WHICH ABOVE ADDRESS SHOULD BE USED FOR LEGAL NOTIFICATIONS AND BILLING: I.  II.  III.

THIS FORM HAS BEEN COMPLETED UNDER PENALTY OF PERJURY, AND TO THE BEST OF MY KNOWLEDGE, IS TRUE AND CORRECT

|                                                      |                                 |                        |
|------------------------------------------------------|---------------------------------|------------------------|
| OWNER'S NAME (PRINTED & SIGNED)<br><b>Gary Leach</b> | OWNER'S TITLE<br><b>VP, CFO</b> | DATE<br><b>6/15/95</b> |
|------------------------------------------------------|---------------------------------|------------------------|

LOCAL AGENCY USE ONLY

|                          |                               |                                     |
|--------------------------|-------------------------------|-------------------------------------|
| COUNTY #<br>[ ] [ ]      | JURISDICTION #<br>[ ] [ ] [ ] | FACILITY #<br>[ ] [ ] [ ] [ ] [ ]   |
| LOCATION CODE - OPTIONAL | CENSUS TRACT # - OPTIONAL     | SUPVISOR - DISTRICT CODE - OPTIONAL |

THIS FORM MUST BE ACCOMPANIED BY AT LEAST (1) OR MORE PERMIT APPLICATION - FORM B, UNLESS THIS IS A CHANGE OF SITE INFORMATION ONLY.

OWNER MUST FILE THIS FORM WITH THE LOCAL AGENCY IMPLEMENTING THE UNDERGROUND STORAGE TANK REGULATIONS



# INSTRUCTIONS FOR COMPLETING FORM "A"

## GENERAL INSTRUCTIONS:

SECTION 2711 OF TITLE 23, CHAPTER 16, CALIFORNIA CODE OF REGULATIONS AND SECTIONS 25286, 25287, AND 25289 OF CHAPTER 6.7, DIVISION 20, CALIFORNIA HEALTH AND SAFETY CODE REQUIRE OWNERS TO APPLY FOR AN UST OPERATING PERMIT.

1. One FORM "A" shall be completed for all NEW PERMIT CHANGES or any FACILITY/SITE INFORMATION CHANGES.
2. **SUBMIT ONLY ONE (1) FORM "A"** for a Facility/Site, regardless of the number of tanks located at the site.
3. This form should be completed by either the PERMIT APPLICANT or the LOCAL AGENCY UNDERGROUND TANK INSPECTOR.
4. Please type or print clearly all requested information.
5. Use a hard point writing instrument, you are making 3 copies.
6. Tank owner must submit a facility plot plan to the local agency as part of the application showing the location of the USTs with respect to buildings and landmarks [Section 2711 (a)(8), CCR].
7. Tank owner must submit documentation showing compliance with state financial responsibility requirements to the local agency as part of the application for petroleum USTs [Section 2711 (a)(11), CCR].

## TOP OF FORM: "MARK ONLY ONE ITEM"

Mark an (X) in the box next to the item that best describes the reason the form is being completed

### I. FACILITY/SITE INFORMATION & ADDRESS (MUST BE COMPLETED)

1. Record name and address (physical location) of the underground tank(s).  
NOTE: Address MUST have a valid physical location including city, state, and zip code.  
P.O. BOX NUMBERS ARE NOT ACCEPTABLE.  
Include nearest cross street and name of the operator.
2. Phone number must have an area code. If the night number is the same, write "SAME" in proper location.
3. Check the appropriate box for TYPE OF BUSINESS OWNERSHIP (ex. CORPORATION, INDIVIDUAL, etc.).
4. Check the appropriate box for TYPE OF BUSINESS.
5. If Facility/Site is located within an Indian reservation or other Indian trust lands, check the box marked "YES".
6. Indicate the NUMBER of TANKS at this Site.
7. Record the E.P.A. ID # or write "NONE" in the space provided.

### II. PROPERTY OWNER INFORMATION & ADDRESS (MUST BE COMPLETED)

Complete all items in this section, unless all items are the same as SECTION I; If the same, write "SAME AS SITE" across this section. Be sure to check PROPERTY OWNERSHIP TYPE box.

### III. TANK OWNER INFORMATION & ADDRESS (MUST BE COMPLETED)

Complete all items in this section, unless all items are the same as SECTION I; If the same write "SAME AS SITE" across this section. Be sure to check TANK OWNERS TYPE box.

### IV. BOARD OF EQUALIZATION UST STORAGE FEE ACCOUNT NUMBER (MUST BE COMPLETED. SEE ARTICLE 5, CHAPTER 675, DIVISION 20, CALIFORNIA HEALTH AND SAFETY CODE.)

Enter your Board of Equalization (BOE) UST storage fee account number which is required before your permit application can be processed. Registration with the BOE will ensure that you will receive a quarterly storage fee return reporting the \$0.006 (6 mills) per gallon fee based on the number of gallons placed in your USTs. The BOE will code persons exempt from paying the storage fee so returns will not be filed. If you do not have an account number with the BOE or if you have any questions regarding the fee or exemptions, please call the BOE at (916) 227-2660 or write to the BOE at the following address: Board of Equalization, Fuel Taxes Division, P.O. Box 942879, Sacramento, CA 95827-0001.

### V. PETROLEUM UST FINANCIAL RESPONSIBILITY (MUST BE COMPLETED FOR PETROLEUM USTs ONLY, SEE SECTIONS 2711 (d)(8) OF TITLE 23, CHAPTER 16, CALIFORNIA CODE OF REGULATIONS.)

Identify the method(s) used by the owner and/or operator, in meeting the Federal and State financial responsibility requirement. USTs owned by any Federal or State agency as well as non-petroleum USTs are exempt from this requirement.

### VI. LEGAL, NOTIFICATION AND BILLING ADDRESS

Check ONE BOX for the address that will be used for BOTH LEGAL AND BILLING NOTIFICATIONS.

TANK OWNER OR AUTHORIZED REPRESENTATIVE MUST SIGN AND DATE THE FORM AS INDICATED. [SEE SECTIONS 2711 (a)(13) OF TITLE 23, CHAPTER 16, CALIFORNIA CODE OF REGULATIONS.]

### INSTRUCTION FOR THE LOCAL AGENCIES

The county jurisdiction numbers are predetermined and can be obtained by calling the State Board (916) 227-4303. The facility number may be assigned by the local agency, however, this number must be numerical and cannot contain any alphabetical characters. If the local agency prefers the State Board to assign the facility number, please leave it blank.

IT IS THE RESPONSIBILITY OF THE LOCAL AGENCY THAT INSPECTS THE FACILITY TO VERIFY THE ACCURACY OF THE INFORMATION. THIS APPLICATION CANNOT BE PROCESSED IF THE BOE ACCOUNT NUMBER IS NOT FILLED IN. THE LOCAL AGENCY IS RESPONSIBLE FOR THE COMPLETION OF THE "LOCAL AGENCY USE ONLY" INFORMATION BOX AND FOR FORWARDING ONE FORM "A" AND ASSOCIATED FORM "B"(s) TO THE FOLLOWING ADDRESS. THE LOCAL AGENCY SHOULD RETAIN THE ORIGINALS AND FORWARD THE YELLOW COPIES TO THE FOLLOWING ADDRESS. THE PINK COPY SHOULD BE RETAINED BY THE TANK OWNER.

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD  
C/O S.W.E.E.P.S.  
DATA PROCESSING CENTER  
P.O. BOX 527  
PARAMOUNT, CA 90723

CHOSD in Place

ENVIRONMENTAL

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD



UNDERGROUND STORAGE TANK PERMIT APPLICATION - FORM B

95 JUN 19 PM 2:55 COMPLETE A SEPARATE FORM FOR EACH TANK SYSTEM.

|                    |                                           |                                           |                                                   |                                                                  |
|--------------------|-------------------------------------------|-------------------------------------------|---------------------------------------------------|------------------------------------------------------------------|
| MARK ONLY ONE ITEM | <input type="checkbox"/> 1 NEW PERMIT     | <input type="checkbox"/> 3 RENEWAL PERMIT | <input type="checkbox"/> 5 CHANGE OF INFORMATION  | <input checked="" type="checkbox"/> 7 PERMANENTLY CLOSED ON SITE |
|                    | <input type="checkbox"/> 2 INTERIM PERMIT | <input type="checkbox"/> 4 AMENDED PERMIT | <input type="checkbox"/> 6 TEMPORARY TANK CLOSURE | <input type="checkbox"/> 8 TANK REMOVED                          |

DBA OR FACILITY NAME WHERE TANK IS INSTALLED:

I. TANK DESCRIPTION COMPLETE ALL ITEMS -- SPECIFY IF UNKNOWN

|                                                |                                              |
|------------------------------------------------|----------------------------------------------|
| A. OWNER'S TANK I.D.#                          | B. MANUFACTURED BY: <u>unknown</u>           |
| C. DATE INSTALLED (MO/DAY/YEAR) <u>unknown</u> | D. TANK CAPACITY IN GALLONS: <u>1000 gal</u> |

II. TANK CONTENTS IFA-1 IS MARKED, COMPLETE ITEM C.

|                                                                             |                                                |                                             |                                                 |                                     |                                                               |
|-----------------------------------------------------------------------------|------------------------------------------------|---------------------------------------------|-------------------------------------------------|-------------------------------------|---------------------------------------------------------------|
| A. <input type="checkbox"/> 1 MOTOR VEHICLE FUEL                            | <input type="checkbox"/> 4 OIL                 | B. <input type="checkbox"/> 1 PRODUCT       | C. <input type="checkbox"/> 1a REGULAR UNLEADED | <input type="checkbox"/> 3 DIESEL   | <input type="checkbox"/> 6 AVIATION GAS                       |
| <input type="checkbox"/> 2 PETROLEUM                                        | <input type="checkbox"/> 80 EMPTY              | <input checked="" type="checkbox"/> 2 WASTE | <input type="checkbox"/> 1b PREMIUM UNLEADED    | <input type="checkbox"/> 4 GASAHOL  | <input type="checkbox"/> 7 METHANOL                           |
| <input type="checkbox"/> 3 CHEMICAL PRODUCT                                 | <input checked="" type="checkbox"/> 95 UNKNOWN |                                             | <input type="checkbox"/> 2 LEADED               | <input type="checkbox"/> 5 JET FUEL | <input type="checkbox"/> 99 OTHER (DESCRIBE IN ITEM D. BELOW) |
| D. IF (A.1) IS NOT MARKED, ENTER NAME OF SUBSTANCE STORED <u>wastewater</u> |                                                |                                             |                                                 |                                     | C. A. S. #:                                                   |

III. TANK CONSTRUCTION MARK ONE ITEM ONLY IN BOXES A, B, AND C, AND ALL THAT APPLIES IN BOX D AND E

|                                 |                                                                  |                                                                 |                                                      |
|---------------------------------|------------------------------------------------------------------|-----------------------------------------------------------------|------------------------------------------------------|
| A. TYPE OF SYSTEM               | <input type="checkbox"/> 1 DOUBLE WALL                           | <input type="checkbox"/> 3 SINGLE WALL WITH EXTERIOR LINER      | <input checked="" type="checkbox"/> 95 UNKNOWN       |
|                                 | <input type="checkbox"/> 2 SINGLE WALL                           | <input type="checkbox"/> 4 SECONDARY CONTAINMENT (VAULTED TANK) | <input type="checkbox"/> 99 OTHER                    |
| B. TANK MATERIAL (Primary Tank) | <input type="checkbox"/> 1 BARE STEEL                            | <input type="checkbox"/> 2 STAINLESS STEEL                      | <input type="checkbox"/> 3 FIBERGLASS                |
|                                 | <input type="checkbox"/> 5 CONCRETE                              | <input type="checkbox"/> 6 POLYVINYL CHLORIDE                   | <input type="checkbox"/> 7 ALUMINUM                  |
|                                 | <input type="checkbox"/> 9 BRONZE                                | <input type="checkbox"/> 10 GALVANIZED STEEL                    | <input checked="" type="checkbox"/> 95 UNKNOWN       |
|                                 |                                                                  |                                                                 | <input type="checkbox"/> 99 OTHER                    |
| C. INTERIOR LINING              | <input type="checkbox"/> 1 RUBBER LINED                          | <input type="checkbox"/> 2 ALKYD LINING                         | <input type="checkbox"/> 3 EPOXY LINING              |
|                                 | <input type="checkbox"/> 5 GLASS LINING                          | <input type="checkbox"/> 6 UNLINED                              | <input checked="" type="checkbox"/> 95 UNKNOWN       |
|                                 |                                                                  |                                                                 | <input type="checkbox"/> 4 PHENOLIC LINING           |
|                                 |                                                                  |                                                                 | <input type="checkbox"/> 99 OTHER                    |
|                                 | IS LINING MATERIAL COMPATIBLE WITH 100% METHANOL? YES ___ NO ___ |                                                                 |                                                      |
| D. CORROSION PROTECTION         | <input type="checkbox"/> 1 POLYETHYLENE WRAP                     | <input type="checkbox"/> 2 COATING                              | <input checked="" type="checkbox"/> 95 UNKNOWN       |
|                                 | <input type="checkbox"/> 5 CATHODIC PROTECTION                   | <input type="checkbox"/> 91 NONE                                | <input type="checkbox"/> 99 OTHER                    |
|                                 |                                                                  | <input type="checkbox"/> 4 FIBERGLASS REINFORCED PLASTIC        |                                                      |
| E. SPILL AND OVERFILL           | SPILL CONTAINMENT INSTALLED (YEAR) <u>None</u>                   |                                                                 | OVERFILL PREVENTION EQUIPMENT INSTALLED (YEAR) _____ |

IV. PIPING INFORMATION CIRCLE A IF ABOVE GROUND OR U IF UNDERGROUND, BOTH IF APPLICABLE

|                                      |                                                         |                                                   |                                                    |                                               |
|--------------------------------------|---------------------------------------------------------|---------------------------------------------------|----------------------------------------------------|-----------------------------------------------|
| A. SYSTEM TYPE                       | A U 1 SUCTION                                           | A U 2 PRESSURE                                    | A U 3 GRAVITY                                      | A U 99 OTHER <u>No Piping Sound</u>           |
| B. CONSTRUCTION                      | A U 1 SINGLE WALL                                       | A U 2 DOUBLE WALL                                 | A U 3 LINED TRENCH                                 | A U 95 UNKNOWN A U 99 OTHER                   |
| C. MATERIAL AND CORROSION PROTECTION | A U 1 BARE STEEL                                        | A U 2 STAINLESS STEEL                             | A U 3 POLYVINYL CHLORIDE (PVC)                     | A U 4 FIBERGLASS PIPE                         |
|                                      | A U 5 ALUMINUM                                          | A U 6 CONCRETE                                    | A U 7 STEEL W/ COATING                             | A U 8 100% METHANOL COMPATIBLE W/FRP          |
|                                      | A U 9 GALVANIZED STEEL                                  | A U 10 CATHODIC PROTECTION                        | A U 95 UNKNOWN                                     | A U 99 OTHER                                  |
| D. LEAK DETECTION                    | <input type="checkbox"/> 1 AUTOMATIC LINE LEAK DETECTOR | <input type="checkbox"/> 2 LINE TIGHTNESS TESTING | <input type="checkbox"/> 3 INTERSTITIAL MONITORING | <input type="checkbox"/> 99 OTHER <u>None</u> |

V. TANK LEAK DETECTION

|                                         |                                                     |                                              |                                                   |                                                    |
|-----------------------------------------|-----------------------------------------------------|----------------------------------------------|---------------------------------------------------|----------------------------------------------------|
| <input type="checkbox"/> 1 VISUAL CHECK | <input type="checkbox"/> 2 INVENTORY RECONCILIATION | <input type="checkbox"/> 3 VADOZE MONITORING | <input type="checkbox"/> 4 AUTOMATIC TANK GAUGING | <input type="checkbox"/> 5 GROUND WATER MONITORING |
| <input type="checkbox"/> 6 TANK TESTING | <input type="checkbox"/> 7 INTERSTITIAL MONITORING  | <input type="checkbox"/> 91 NONE             | <input checked="" type="checkbox"/> 95 UNKNOWN    | <input type="checkbox"/> 99 OTHER                  |

VI. TANK CLOSURE INFORMATION

|                                                                 |                                                                                           |                                                                                                             |
|-----------------------------------------------------------------|-------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|
| 1. ESTIMATED DATE LAST USED (MO/DAY/YR)<br><u>Prior to 1980</u> | 2. ESTIMATED QUANTITY OF SUBSTANCE REMAINING <u>removed 6/15/95</u><br><u>175</u> GALLONS | 3. WAS TANK FILLED WITH INERT MATERIAL? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> |
|-----------------------------------------------------------------|-------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|

THIS FORM HAS BEEN COMPLETED UNDER PENALTY OF PERJURY, AND TO THE BEST OF MY KNOWLEDGE, IS TRUE AND CORRECT

|                                                                        |                        |
|------------------------------------------------------------------------|------------------------|
| APPLICANT'S NAME (PRINTED & SIGNATURE)<br><u>Gary Leach Gary Leach</u> | DATE<br><u>6/15/95</u> |
|------------------------------------------------------------------------|------------------------|

LOCAL AGENCY USE ONLY THE STATE I.D. NUMBER IS COMPOSED OF THE FOUR NUMBERS BELOW

|               |                         |                |                        |        |
|---------------|-------------------------|----------------|------------------------|--------|
| STATE I.D.#   | COUNTY #                | JURISDICTION # | FACILITY #             | TANK # |
| PERMIT NUMBER | PERMIT APPROVED BY/DATE |                | PERMIT EXPIRATION DATE |        |

THIS FORM MUST BE ACCOMPANIED BY A PERMIT APPLICATION - FORM A, UNLESS A CURRENT FORM A HAS BEEN FILED.  
FILE THIS FORM WITH THE LOCAL AGENCY IMPLEMENTING THE UNDERGROUND STORAGE TANK REGULATIONS

INSTRUCTIONS FOR COMPLETING FORM "B"

GENERAL INSTRUCTIONS.

1. One FORM "B" shall be completed for each tank for all NEW PERMITS, PERMIT CHANGES, REMOVALS and/or any other TANK INFORMATION CHANGE.
2. This form should be completed by either the PERMIT APPLICANT or the LOCAL AGENCY UNDERGROUND TANK INSPECTOR.
3. Please type or print clearly all requested information.
4. Use a hard point writing instrument, you are making 3 copies.

TOP OF FORM: "MARK ONLY ONE ITEM"

1. Mark an (X) in the box next to the item that best describes the reason the form is being completed.
2. Indicate the DBA or Facility name where the tank is installed.

I. TANK DESCRIPTION - COMPLETE ALL ITEMS - IF UNKNOWN - SO SPECIFY

- A. Indicate owners tank ID # - If there is a tank number that is used by the owner to identify the tank (ex. AB70789).
- B. Indicate the name of the company that manufactured the tank (ex. ACME TANK MFG.)
- C. Indicate the year the tank was installed (ex. 1987).
- D. Indicate the tank capacity in gallons (ex. 25,000 or 10,000 etc.)

II. TANK CONTENTS

- A. 1. If MOTOR VEHICLE FUEL, check box 1 and complete items B & C.  
2. If not MOTOR VEHICLE FUEL, check the appropriate box in section A and complete items B & D.
- B. Check the appropriate box.
- C. Check the type of MOTOR VEHICLE FUEL (if box 1 is checked in A).
- D. Print the chemical name of the hazardous substance stored in the tank and the C.A.S.#. (Chemical Abstract Service number), if box 1 is NOT checked in A.

III. TANK CONSTRUCTION - MARK ONE ITEM ONLY IN BOX A, B, C & D

1. Check only one item in TYPE OF SYSTEM, TANK MATERIAL, INTERIOR LINING and CORROSION PROTECTION.
2. If OTHER, print in the space provided.

IV. PIPING INFORMATION

1. Circle A if above ground; circle U if underground; and circle both if applicable.
2. If UNKNOWN, circle; or if OTHER print in space provided.
3. Indicate the LEAK DETECTION system(s) used to comply with the monitoring requirement for the piping.

V. TANK LEAK DETECTION

1. Indicate the LEAK DETECTION system(s) used to comply with the monitoring requirements for the tank.

VI. INFORMATION ON TANK PERMANENTLY CLOSED IN PLACE

1. ESTIMATED DATE LAST USED - MONTH/YEAR (January, 1988 or 01/88).
2. ESTIMATED QUANTITY of HAZARDOUS SUBSTANCE remaining in the tank (in Gallons).
3. WAS TANK FILLED WITH INERT MATERIAL? Check 'Yes' or 'NO'.

APPLICANT MUST SIGN AND DATE THE FORM AS INDICATED.

INSTRUCTION FOR THE LOCAL AGENCIES

The state underground storage tank identification number is composed of the two digit county number, the three digit jurisdiction number, the six digit facility number and the six digit tank number. The county and jurisdiction numbers are predetermined and can be obtained by calling the State Board (916)739-2421. The facility number must be the same as shown in form "A". The tank number may be assigned by the local agency; however, this number must be numerical and cannot contain an alphabet. If the local agency prefers the State Board to assign the tank number, please leave it blank.

IT IS THE RESPONSIBILITY OF THE LOCAL AGENCY THAT INSPECTS THE FACILITY TO VERIFY THE ACCURACY OF THE INFORMATION. THE LOCAL AGENCY IS RESPONSIBLE FOR THE COMPLETION OF THE "LOCAL AGENCY USE ONLY" INFORMATION BOX AND FOR FORWARDING ONE FORM "A" AND ASSOCIATED FORM "B"(s) TO THE FOLLOWING ADDRESS.

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD  
C/O S.W.R.C.S.  
DATA PROCESSING CENTER  
P.O. BOX 527  
PARAMOUNT, CA 90723



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

June 15, 1995

Mr. Gary Leach  
ONE Color Communications  
P.O. Box 8277  
Emeyville, California 94662

RE: Closure In-Place of  
ONE Color Communicat  
California 94608

Post-It™ brand fax transmittal memo 7671 # of pages > 2

|       |                |         |                |
|-------|----------------|---------|----------------|
| To    | RON BLOCK      | From    | SUSAN HUGO     |
| Co.   | BLOCK ENV.     | Co.     | ACDEH          |
| Dept. |                | Phone # |                |
| Fax # | (510) 682-8360 | Fax #   | (510) 337-9331 |

Dear Mr. Leach:

This letter is a follow up on the closure in-place of one 1,000 gallon underground storage tank located inside the building (near Linden Street). The tank was uncovered recently during the remodelling / construction activities after the fire that occurred at site last January, 1995.

During our on-site meeting held today together with Mr. Ronald Block, it appeared that removing the tank will have a significant impact to the integrity of the building. The tank is located inside the building underneath the floor near the brick wall on Linden Street.

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

- \* The liquid contents must be removed and properly disposed. The tank must be rinsed. Please provide this office with copies of the disposal records.
- \* All piping associated with the underground storage tank 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 tank must be filled with inert material per Oakland Fire Department's requirements. Please provide this office with documentation from Oakland Fire Department approving the in-place closure of the tank.
- \* 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.

Mr. Gary Leach  
RE: 1001 42nd Street, Oakland, CA 94608  
June 15, 1995  
Page 2 of 2

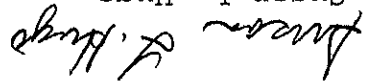
\* Please provide this office with documentation that **no unauthorized release** has occurred at the site. A soil boring sample must be collected adjacent to the tank and/or piping within ten feet in the verified downgradient direction. The soil sample must be collected no deeper than 1 to 2 feet of the tank's bottom. Soil sample must be analyzed for the following target compounds: TPH gasoline, TPH diesel, TPH oil and grease, BTEX, chlorinated hydrocarbon, semi-volatile organics and metals ( cadmium, lead, zinc, nickel and chromium).

\* An underground tank closure plan must be submitted together with a site map (indicating the location of the tank), the completed Forms A and B and a deposit fee of \$ 604 payable to Environmental Health Services to cover this agency's oversight cost.

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.

Should you have any questions concerning this letter, please contact me at (510) 567-6780.

Sincerely,



Susan L. Hugo  
Senior Hazardous Materials Specialist

cc: Rafat A. Shahid, Director, Environmental Health  
Mee Ling Tung, Acting Chief, Environmental Protection  
Division / files  
Ronald Block, Block Environmental Services, 1221 Thames Drive  
Concord, CA 94518  
Gerry Bluford, City of Oakland Fire Prevention Bureau  
1330 Broadway, Oakland, CA 94612

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



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

June 15, 1995

Mr. Gary Leach  
ONE Color Communications  
P.O. Box 8277  
Emeyville, California 94662

**RE: Closure In-Place of One Underground Storage Tank at  
ONE Color Communications - 1001 42nd Street, Oakland  
California 94608**

Dear Mr. Leach:

This letter is a follow up to the proposed closure in-place of one 1,000 gallon underground storage tank located inside the building (near Linden Street). The tank was uncovered recently during the remodelling / construction activities after the fire that occurred at site last January, 1995.

During our on-site meeting held today together with Mr. Ronald Block, it appeared that removing the tank will have a significant impact to the integrity of the building. The tank is located inside the building underneath the floor near the brick wall on Linden Street.

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

- \* The liquid contents must be removed and properly disposed. The tank must be rinsed. Please provide this office with copies of the disposal records.
- \* All piping associated with the underground storage tank 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 tank must be filled with inert material per Oakland Fire Department's requirements. Please provide this office with documentation from Oakland Fire Department approving the in-place closure of the tank.
- \* 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.

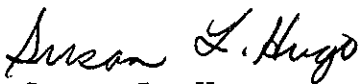
Mr. Gary Leach  
RE: 1001 42nd Street, Oakland, CA 94608  
June 15, 1995  
Page 2 of 2

- \* Please provide this office with documentation that no **unauthorized release** has occurred at the site. A soil boring sample must be collected adjacent to the tank and /or piping within ten feet in the verified downgradient direction. The soil sample must be collected no deeper than 1 to 2 feet of the tank's bottom. Soil sample must be analyzed for the following target compounds: TPH gasoline, TPH diesel, TPH oil and grease, BTEX, chlorinated hydrocarbon, semi-volatile organics and metals ( cadmium, lead, zinc, nickel and chromium).
- \* An underground tank closure plan must be submitted together with a site map (indicating the location of the tank), the completed Forms A and B and a deposit fee of \$ 604 payable to Environmental Health Services to cover this agency's oversight cost.

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.

Should you have any questions concerning this letter, please contact me at (510) 567-6780.

Sincerely,



Susan L. Hugo  
Senior Hazardous Materials Specialist

cc: Rafat A. Shahid, Director, Environmental Health  
Mee Ling Tung, Acting Chief, Environmental Protection  
Division / files  
Ronald Block, Block Environmental Services, 1221 Thames Drive  
Concord, CA 94518  
Gerry Bluford, City of Oakland Fire Prevention Bureau  
1330 Broadway, Oakland, CA 94612



2  
 1 ft deep bottom }  
 1 1/2 ft bottom }  
 2 in check in }  
 tank }  
 7 1/2 ft }

**BLOCK ENVIRONMENTAL SERVICES**

1221 Thames Drive  
 Concord, California 94518  
 (510) 682-7200 FAX 682-8360

2 1/2 ft diameter  
 9 inches bgs

June 15, 1995

Ms. Susan Hugo  
 Alameda County Health Agency  
 Division of Environmental Protection  
 Department of Environmental Health  
 1131 Harbor Bay Parkway, 2nd Floor  
 Alameda, CA 94502

**Subject: Tank Closure for ONE Color Communications located at 1001 42nd Street, Oakland, CA**

95 JUN 19 95  
 ENVIRONMENTAL SERVICES  
 PH 2:55

Dear Susan:

Thank you for assisting my client, ONE Color Communications in closing the UST in an expeditious manner. As you are aware, due to the fire at the facility, major construction will begin around July 14, 1995 making it more difficult to close the tank in place.

I have enclosed the required fee for \$603.00 as well as the application for closure in place (Form A, Form B and the Tank Closure Plan). Also enclosed is a copy of a letter from a structural engineer certifying that structural damage to the building could occur if the tank was removed. The structural engineer also made recommendations for the type of grout to be used in filling the tank in place. Within the week you will receive a letter from the Fire Department (Contact is Jerry Bluford, 238-3851) indicating their approval to close the tank in place and their recommendation for grouting the tank in place. We have also enclosed the geophysical report indicating that there are no pipes attached to the tank and a site map indicating the location of the tank.

At 0800 on June 21, 1995, Block Environmental will install a boring about two feet down gradient from the tank within the building. The soil sample will be collected at a depth of five feet (about one and one-half feet beneath the tank) and sent to a laboratory for the appropriate chemical analysis.

On another matter, we have enclosed a copy of the closure report for the sump located at the facility. Again, thank you for your assistance.

Very truly yours,  
 BLOCK ENVIRONMENTAL SERVICES, INC

Ronald M. Block, Ph.D., REA  
 President





ENVIRONMENTAL  
PROTECTION

95 MAY 10 PM 2: 33

BLOCK ENVIRONMENTAL SERVICES

1221 Thames Drive  
Concord, California 94518  
(510) 682-7200 FAX 682-8360

May 2, 1995

Ms. Susan Hugo  
Alameda County Health Agency  
Division of Environmental Protection  
Department of Environmental Health  
1131 Harbor Bay Parkway, 2nd Floor  
Alameda, CA 94502

**Subject: ONE Color Communications Underground Tank**

Dear Susan:

Pursuant to our telephone conversation, I am enclosing the laboratory data for the underground tank contents that was found in the basement of the ONE facility. We have found no facility plans that indicate the tank was used in any former process. In addition, we found no pipes leading into or out of the tank using ground penetrating radar. In all probability, the tank may have been a wastewater tank with the contents being flushed down the drain when full.

In summary, the tank contents contains no chemicals at the hazardous waste threshold level and produced a 96 hr LC50 greater than 750 mg/l in accordance with Title 22, Section 66261.24.

**Summary of Metal Analysis for Tank Contents**

concentrations in mg/l

|           |            |            |                    |
|-----------|------------|------------|--------------------|
| antimony  | ND         | mercury    | 0.064 <sup>y</sup> |
| arsenic   | ND         | molybdenum | ND                 |
| barium    | 0.2 ✓ 1/01 | nickel     | ND                 |
| beryllium | ND         | selenium   | ND                 |
| cadmium   | ND         | silver     | ND                 |
| chromium  | 0.4        | thallium   | ND                 |
| cobalt    | 0.04       | vanadium   | 0.01               |
| copper    | 1.4        | zinc       | 3.4                |
| lead      | 1.4        |            |                    |

The first set of samples collected on November 9 and reported on November 28, 1994 were

Ms. Susan Hugo  
Alameda County Health Agency  
Page 2

nondetectable for organic chemicals by EPA Method 8240 and Method 8270. A second set of samples were collected on February 10, 1995 and were analyzed by EPA Method 8270. Tentatively Identified Compounds (TICs) were requested from the laboratory for identification. Di-n-butylphthalate was identified at 1.2 mg/l. in the sample. This compound was not identified during the first set of sampling and may be an artifact in that plasticizers are often found in environmental samples. No other compounds were identified.

TPH as diesel was found at 24 mg/l and TPH as kerosene at 20 mg/l in the tank contents. These concentrations were quantified from one point kerosene and motor oil curves. The concentrations of TPH in the tank contents are significantly less than what has been found in the soil in the general vicinity of ONE.

We have enclosed the results of all chemical analyses of the tank contents to date.

It is our intention to close the tank in place. We are quite willing to install slant borings for the purpose of determining if the tank has leaked, but we have no specific target analytes to test for in the soil.

Due to the fire that occurred at the ONE facility in early January, 1995, ONE is on a fast track to refurbish their building. This includes closing the tank in place with permission from the County. We would appreciate your prompt attention to this matter.

Very truly yours,  
BLOCK ENVIRONMENTAL SERVICES, INC



Ronald M. Block, Ph.D.  
President

cc: Gary Leach-ONE



**ENVIRONMENTAL  
PROTECTION**

2455 Estand Way  
Pleasant Hill, CA 94523  
(510) 686-3215 FAX 686-0399

Date: November 17, 1994 10 PM 2: 33  
To: Ms. Gary Leach  
One Color Communications  
1001 42 nd Street  
Oakland, CA 94608  
From: Phyllis Riboni  
Chronic and Acute Effluent  
Testing Specialist  
Julianne C. Fegley  
Laboratory Coordinator  
Subject: Aquatic Toxicity Testing Results for Hazardous Waste Testing  
P.O.#verbal

**SAMPLE MATRIX AND I.D.:** One water sample #13121 (ONE1). ✓

**TREATMENT DILUTIONS (mg/L):** 250, 500, 750 and Control run in soft carbon filtered tap water mixed with deionized water of 40-48 mg/L hardness and in duplicate with 10 fish/6 L tank and 20 fish/treatment.

**TESTING PERIOD:** Received 11/10/94; Tested 11/11/94 - 11/15/94.

**BIOASSAY TEST(S):** Fathead minnow (*Pimephales promelas*) 96-hour static Hazardous Waste Toxicity.

**METHODS:** Hazardous waste aquatic toxicity test protocol is based on "Standard Methods for the Examination of Water and Wastewater", 18th Edition, American Public Health Association, 1992; California's Title 22 Code, Section #66261.24(a)(6); "Static Acute Bioassay Procedures for Hazardous Waste Samples" (Polisini and Miller, 1988), California Department of Fish and Game; and as certified by the State of California's Department of Toxic Substance Control (CA. EPA).

**SUMMARY:**

Fathead minnow 96-hour percent survival in the Control was 95%.  
Fathead minnow 96-hour percent survival in the test concentrations was 90% for 250 mg/L, 85% for 500 mg/L and 85% for 750 mg/L.

The 96-hour LC50 >750 mg/L for sample #13121 (ONE1).

The transcribed data sheets and chain-of-custody for this test are enclosed. If you have any questions concerning this report please contact Linda Mortensen, Hazardous Waste and Acute Effluent Testing Specialist, at the lab (510) 686-3215.

BES Laboratory Division  
 2455 Estand Way  
 Pleasant Hill, CA 94523  
 (510) 686-3215

STATIC ACUTE BIOASSAY  
 Hazardous Waste Test  
 Fathead Minnow



CLIENT: One Color Communications ATTENTION: Gary Leach  
 SAMPLE ID#: 13121 SAMPLE DESCRIPTION: Water TESTING DATES: 11/11/94 to 11/15/94  
 CLIENT ID#: One1

| TEST CONCENTRATION<br>mg/L | 11/11/94<br>INITIAL |     |      |      | 11/12/94<br>24-HOUR |     |      |      | 11/13/94<br>48-HOUR |     |      |      | 11/15/94<br>72-HOUR |     |      |      | 11/16/94<br>96-HOUR_FINAL |     |      |      |
|----------------------------|---------------------|-----|------|------|---------------------|-----|------|------|---------------------|-----|------|------|---------------------|-----|------|------|---------------------------|-----|------|------|
|                            | Live                | pH  | DO   | Temp | Live                | pH  | DO   | Temp | Live                | pH  | DO   | Temp | Live                | pH  | DO   | Temp | Live                      | pH  | DO   | Temp |
|                            |                     |     | mg/L | ° C  |                     |     | mg/L | ° C  |                     |     | mg/L | ° C  |                     |     | mg/L | ° C  |                           |     | mg/L | ° C  |
| Control-A                  | 10                  | 7.8 | 7.9  | 19.4 | 10                  | 7.5 | 7.5  | 20.9 | 10                  | 7.5 | 7.3  | 19.5 | 9                   | 7.4 | 9.2  | 20.0 | 9                         | 7.5 | 7.4  | 19.9 |
| Control-B                  | 10                  | 7.8 | 7.6  | 19.4 | 10                  | 7.3 | 8.4  | 21.0 | 10                  | 7.3 | 8.0  | 19.5 | 10                  | 7.5 | 9.2  | 20.0 | 10                        | 7.4 | 7.0  | 19.9 |
| 250-A                      | 10                  | 7.6 | 8.1  | 19.0 | 10                  | 7.1 | 8.2  | 21.4 | 10                  | 7.4 | 8.0  | 19.4 | 10                  | 7.2 | 9.0  | 20.0 | 10                        | 6.9 | 5.9  | 20.3 |
| 250-B                      | 10                  | 7.7 | 8.1  | 19.0 | 10                  | 7.1 | 7.6  | 21.4 | 10                  | 7.3 | 8.9  | 19.3 | 9                   | 7.1 | 9.0  | 20.3 | 8                         | 6.9 | 5.9  | 20.4 |
| 500-A                      | 10                  | 7.7 | 8.1  | 18.9 | 10                  | 7.0 | 7.4  | 21.4 | 10                  | 7.2 | 8.3  | 19.0 | 10                  | 7.0 | 8.9  | 20.4 | 9                         | 7.0 | 5.8  | 20.0 |
| 500-B                      | 10                  | 7.8 | 7.9  | 19.0 | 10                  | 7.0 | 7.6  | 21.4 | 10                  | 7.1 | 8.2  | 19.0 | 9                   | 7.0 | 8.9  | 20.2 | 8                         | 6.9 | 5.8  | 20.1 |
| 750-A                      | 10                  | 7.8 | 7.9  | 19.1 | 9                   | 7.0 | 7.6  | 21.4 | 9                   | 7.1 | 8.2  | 18.9 | 8                   | 7.0 | 8.8  | 20.1 | 8                         | 7.1 | 6.1  | 19.8 |
| 750-B                      | 10                  | 7.8 | 7.7  | 19.1 | 9                   | 7.1 | 7.7  | 21.4 | 9                   | 7.0 | 8.1  | 18.9 | 9                   | 7.0 | 8.8  | 20.2 | 9                         | 7.1 | 6.1  | 19.9 |

96-hr. LC50: > 750 mg/L

95% Confidence Limits: NA

96-hr. Final Percent Survival: Control = 95%; 250 mg/L = 90%; 500 mg/L = 85%; 750 mg/L = 85%

Remarks: Initial Alkalinity, Hardness (mg/L): Control = 35,48; 750 mg/L = 32,46

Final Alkalinity, Hardness (mg/L): Control = 37,51; 750 mg/L = 30,37

Total vol/replicate: (L) = 6

Test Supervisor: [Signature]

Verification: [Signature]

BES Laboratory Division  
 2455 Estand Way  
 Pleasant Hill, CA 94523  
 (510) 686-3215

STATIC ACUTE BIOASSAY  
 Hazardous Waste Test  
 Fathead Minnow

CLIENT: ONE COLOR COMMUNICATIONS ATTENTION: GARY LEACH  
 SAMPLE ID#: 13121 SAMPLE DESCRIPTION: WATER TESTING DATES: 11/11/94 to 11/15/94  
 CLIENT ID#:

| TEST CONCENTRATION | 11/11<br>1650 INITIAL AM |     |            |            | 11/12<br>1120 24-HOUR AM |     |            |            | 11/13/94<br>11:20 48-HOUR LC |     |            |            | 11/14/94<br>1110 72-HOUR LC |     |            |            | 11/15/94<br>1303 96-HOUR, FINAL AM |     |            |            |
|--------------------|--------------------------|-----|------------|------------|--------------------------|-----|------------|------------|------------------------------|-----|------------|------------|-----------------------------|-----|------------|------------|------------------------------------|-----|------------|------------|
|                    | Live                     | pH  | DO<br>mg/L | Temp<br>°C | Live                     | pH  | DO<br>mg/L | Temp<br>°C | Live                         | pH  | DO<br>mg/L | Temp<br>°C | Live                        | pH  | DO<br>mg/L | Temp<br>°C | Live                               | pH  | DO<br>mg/L | Temp<br>°C |
| Control-A          | 10                       | 7.8 | 7.9        | 19.4       | 10                       | 7.5 | 7.5        | 20.9       | 10                           | 7.5 | 7.3        | 19.5       | 9                           | 7.4 | 9.0        | 20.0       | 9                                  | 7.5 | 7.4        | 19.9       |
| Control-B          | 10                       | 7.8 | 7.6        | 19.4       | 10                       | 7.3 | 8.4        | 21.0       | 10                           | 7.3 | 8.0        | 19.5       | 10                          | 7.5 | 9.0        | 20.0       | 10                                 | 7.4 | 7.0        | 19.9       |
| 250-A              | 10                       | 7.6 | 8.1        | 19.0       | 10                       | 7.1 | 8.2        | 21.4       | 10                           | 7.4 | 8.0        | 19.4       | 10                          | 7.2 | 9.0        | 20.0       | 10                                 | 6.9 | 5.9        | 20.3       |
| 250-B              | 10                       | 7.7 | 8.1        | 19.0       | 10                       | 7.1 | 7.6        | 21.4       | 10                           | 7.3 | 8.4        | 19.3       | 10                          | 7.1 | 9.0        | 20.3       | 10                                 | 6.9 | 5.9        | 20.4       |
| 500-A              | 10                       | 7.7 | 8.1        | 18.9       | 10                       | 7.0 | 7.4        | 21.4       | 10                           | 7.2 | 8.3        | 19.0       | 10                          | 7.0 | 8.9        | 20.4       | 10                                 | 7.0 | 5.8        | 20.0       |
| 500-B              | 10                       | 7.8 | 7.9        | 19.0       | 10                       | 7.0 | 7.6        | 21.4       | 10                           | 7.1 | 8.2        | 19.0       | 9                           | 7.0 | 8.9        | 20.2       | 8                                  | 6.9 | 5.8        | 20.1       |
| 750-A              | 10                       | 7.8 | 7.9        | 19.1       | 9                        | 7.0 | 7.6        | 21.4       | 9                            | 7.1 | 8.2        | 19.9       | 8                           | 7.0 | 8.9        | 20.1       | 8                                  | 7.1 | 6.1        | 19.8       |
| 750-B              | 10                       | 7.8 | 7.7        | 19.1       | 9                        | 7.1 | 7.7        | 21.4       | 9                            | 7.0 | 8.1        | 19.9       | 9                           | 7.0 | 8.9        | 20.2       | 9                                  | 7.1 | 6.1        | 19.9       |

96-hr. LC50:

7750 mg/L  
NA

95% Confidence Limits:

96-hr. Final Percent Survival:

Control = 95%; 250 mg/L = 90%; 500 mg/L = 85%; 750 mg/L = 85%

Remarks:

Initial Alkalinity, Hardness (mg/L): Control = 35.4; 750 mg/L = 12.14

Final Alkalinity, Hardness (mg/L): Control = 37.5; 750 mg/L = 30.37

FISH STOCK DATE 11-7-94

Total vol/replicate: (L) = 6

Test Supervisor:

pe

Verification:

em





**BLOCK ENVIRONMENTAL SERVICES  
FISH BIOASSAY MEASUREMENTS**

Fathead Minnow

For: One Color Communications

Sample ID#: 13121 Stock Date: 11/7/94  
 Client ID#: ONE1

Average Length: 30.3 mm SL  
 Standard D. (S): 2.95 mm SL  
 Maximum Length: 36.0 mm SL  
 Minimum Length: 26.0 mm SL

Average Weight: 0.438 g  
 Standard D. (S): 0.115 g  
 Maximum Weight: 0.62 g  
 Minimum Weight: 0.24 g

Fish Length (mm SL)

|     |             |
|-----|-------------|
| 1.  | <u>26.0</u> |
| 2.  | <u>31.0</u> |
| 3.  | <u>31.0</u> |
| 4.  | <u>36.0</u> |
| 5.  | <u>32.0</u> |
| 6.  | <u>28.0</u> |
| 7.  | <u>28.0</u> |
| 8.  | <u>28.0</u> |
| 9.  | <u>33.0</u> |
| 10. | <u>30.0</u> |

Fish Weight (g)

|     |             |
|-----|-------------|
| 1.  | <u>0.24</u> |
| 2.  | <u>0.52</u> |
| 3.  | <u>0.41</u> |
| 4.  | <u>0.62</u> |
| 5.  | <u>0.38</u> |
| 6.  | <u>0.41</u> |
| 7.  | <u>0.38</u> |
| 8.  | <u>0.39</u> |
| 9.  | <u>0.61</u> |
| 10. | <u>0.42</u> |

Remarks:

Measured: 11/7/94



ENVIRONMENTAL  
250...3464

95 JUN 19 PM 2:55

JWD

December 14, 1994

Jordan

Woodman

Dobson

Mr. Gary Leach  
O.N.E. Color Communications  
1001 - 42 Street  
Oakland, CA 94608

STRUCTURAL CONSEQUENCES  
OF UNDERGROUND TANK REMOVAL  
AT 1001 - 42ND STREET, OAKLAND, CA

Architecture

Dear Mr. Leach:

Engineering

I reviewed the area of the building adjacent to the abandoned underground storage tank to determine if the tank can be removed without causing structural distress to the building. The tank is located along the north exterior wall of the Acid Neutralizing Room.

The tank is approximately four feet in diameter and eleven feet long. The outline of the tank has been marked on the floor after being located by Norcal Geophysical Consultants, Inc. The bottom of the tank is approximately five foot below the floor surface. We believe this is lower than the adjacent foundation for the masonry wall.

A California

Corporation

We recommend that the tank not be removed, but left in place and filled with concrete. The excavation caused by the removal of the tank would undermine the adjacent exterior masonry wall foundation and may cause both settlement and lateral displacement. The masonry wall is quite old and any movement will cause serious cracking and the possibility of local collapse.

3664 Grand Ave

Oakland, CA

The tank shall be filled with a lean concrete grout mix,  $f'_c = 1,000$  psi at 28 days and 3/8" maximum aggregate. Prior to placing the lean concrete grout, the tank shall be emptied and cleaned of all contaminates.

94610

We understand that you have retained a chemical laboratory to analyze the tank contents. We recommend that the laboratory verify that the grout mix will not react adversely with any remaining traces of the tanks prior contents.

510 832-5466

FAX 510 835-3464



Mr. Gary Leach  
December 14, 1994  
Page 2

This review consisted of visual observation only, made solely to evaluate the structural consequences of removing the subject underground tank. Neither this review nor this report is intended to cover hazardous materials, geotechnical, mechanical, electrical or architectural features.

Jordan

Woodman

The findings in this report are valid as of the present date. However, changes in the condition of a property can occur with the passage of time, due either to natural cause or the works of man.

Dobson

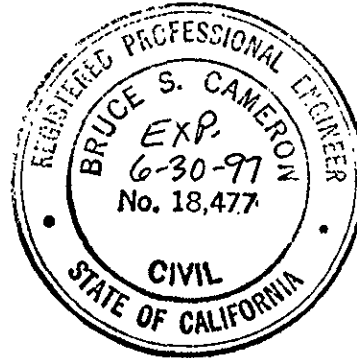
This report was prepared upon your request for services, and in accordance with currently accepted standards of professional engineering practice. No warranty as to the contents of this report is intended, and none shall be inferred from the statements of opinion expressed

Sincerely,

JORDAN WOODMAN DOBSON



Bruce S. Cameron, P.E.  
Principal



## STATE WATER RESOURCES CONTROL BOARD

DIVISION OF CLEAN WATER PROGRAMS

2014 T STREET, SUITE 130

P.O. BOX 944212

SACRAMENTO, CALIFORNIA 94244-2120

(916) 227-4307

(916) 227-4530 FAX

MAY 9 1994



Ameritone Paint Corp  
18414 S. Santa Fe Ave  
Rancho Dominguez, CA 90221

Former Boysen Paint Fac  
Site: 1001 - 42nd Street  
Emeryville, CA 94608

## UNDERGROUND STORAGE TANK CLEANUP FUND, CLAIM NO. 001342

The State Water Resources Control Board (State Board) takes pleasure in issuing the attached Letter of Commitment in an amount not to exceed \$20,000. This Letter of Commitment is based upon our review of the corrective action costs incurred to date and your application received on January 17, 1992 and may be modified by the State Board in writing by an amended Letter of Commitment.

The State Board will take steps to withdraw this Letter of Commitment after 90 calendar days from the date of this transmittal letter unless you proceed with due diligence with your cleanup effort. This means that you must take positive, concrete steps to ensure that corrective action is proceeding with all due speed. For example, if you have not started your cleanup effort, you must obtain three bids and sign a contract with one of these bidders within 90 calendar days. If your cleanup effort has already started and was delayed, you must resume the expenditure of funds to ensure that your cleanup is proceeding in an expeditious manner. You are reminded that you must comply with all regulatory agency time schedules and requirements. We constantly review the status of all active claims, and failure to proceed with due diligence will be grounds for withdrawal of this Letter of Commitment.

You should read the terms and conditions listed in the Letter of Commitment. Also attached you will find:

- A "Reimbursement Request Instructions" package. **You should retain this package for future reimbursement requests.** Among other information, the package includes instructions for completion of the "Reimbursement Request" form and the "Spreadsheet". These instructions must be followed when seeking reimbursement for corrective action costs incurred after January 1, 1988. Included in these instructions are samples of Reimbursement Request forms and completed Spreadsheets. Within the package also included are:
  - A "Bid Summary Sheet" to document data on bids received.
  - Recommended Minimum Invoice Cost Breakdown.
  - A "Certification of Non-Recovery From Other Sources" which must be returned before any reimbursements can be made.
- "Reimbursement Request" forms which you must use to request reimbursement of costs incurred.
- "Spreadsheet" forms which you must use in conjunction with your Reimbursement Request.
- "Vendor Data Record" (Std. Form 204) which must be completed and returned with your first Reimbursement Request.

If you have any questions regarding the Letter of Commitment or the Reimbursement Request package, please contact Blessy Torres at (916) 227-4535.

Sincerely,

Dave Deaner, Manager  
Underground Storage Tank  
Cleanup Fund Program

## Attachments

cc: California Regional Water Quality  
Control Board, San Francisco Bay Region  
Attn: Steven Ritchie  
2101 Webster Street, Suite 500  
Oakland, CA 94612

Alameda County EHD  
Attn: Tom Peacock  
80 Swan Way, Room 200  
Oakland, CA 94621

# LETTER OF COMMITMENT FOR REIMBURSEMENT OF COSTS

CLAIM NO: 001342

AMENDMENT NO: 0

CLAIMANT: Ameritone Paint Corp

BALANCE FORWARD: \$0

CO-PAYEE: None

THIS AMOUNT: \$20,000

Attn: J. Plouff

CLAIMANT ADDRESS: 18414 S. Santa Fe Ave  
Rancho Dominguez, CA 90221

NEW BALANCE: \$20,000

TAX ID / SSA NO.: 95-1594197

Subject to availability of funds, the State Water Resources Control Board (State Board) agrees to reimburse Ameritone Paint Corp (Claimant) for eligible corrective action costs at Former Boysen Paint Fac, 1001 - 42nd Street, Emeryville, CA 94608 (Site). The commitment reflected by this Letter is subject to all of the following terms and conditions:

1. Reimbursement shall not exceed \$20,000 unless this amount is subsequently modified in writing by an amended Letter of Commitment.
2. The obligation to pay any sum under this Letter of Commitment is contingent upon availability of funds. In the event that sufficient funds are not available for reasons beyond the reasonable control of the State Board, the State Board shall not be obligated to make any disbursements hereunder. If any disbursements otherwise due under this Letter of Commitment are deferred because of unavailability of funds, such disbursements will promptly be made when sufficient funds do become available. Nothing herein shall be construed to provide the Claimant with a right of priority for disbursement over any other claimant who has a similar Letter of Commitment.
3. All costs for which reimbursement is sought must be eligible for reimbursement and the Claimant must be the person entitled to reimbursement thereof.
4. Claimant must at all times be in compliance with all applicable state laws, rules and regulations and with all terms, conditions, and commitments contained in the Claimant's Application and any supporting documents or in any payment requests submitted by the Claimant.
5. No disbursement under this Letter of Commitment will be made except upon receipt of acceptable Standard Form Payment Requests duly executed by or on behalf of the Claimant. All Payment Requests must be executed by the Claimant or a duly authorized representative who has been approved by the Division of Clean Water Programs.
6. Any and all disbursements payable under this Letter of Commitment may be withheld if the Claimant is not in compliance with the provisions of Paragraph 5 above.
7. Neither this Letter of Commitment nor any right thereunder is assignable by the Claimant without the written consent of the State Board. In the event of any such assignment, the rights of the assignee shall be subject to all terms and conditions set forth in this Letter of Commitment and the State Board's consent.
8. This Letter of Commitment may be withdrawn at any time by the State Board if completion of corrective action is not performed with reasonable diligence.

IN WITNESS WHEREOF, this Letter of Commitment has been issued by the State Board this 20th day of April, 1994.

STATE WATER RESOURCES CONTROL BOARD

BY \_\_\_\_\_  
Manager, Underground Storage Tank Cleanup Fund Program

BY James B. Stafford  
Chief, Division Administrative Services

STATE USE :  
CALSTARS CODING :  
0550 - 569.02 - 30530

\$ \_\_\_\_\_

# ALAMEDA COUNTY, DEPARTMENT OF ENVIRONMENTAL HEALTH

80 Swan Way, #200  
Oakland, CA 94621  
(415) 271-4320

## Hazardous Materials Division Inspection Form

Site ID# \_\_\_\_\_ Site Name City of Oakland - 4500 14th St Today's Date 11/1/88

Site Address 4500 14th St EPA ID# \_\_\_\_\_

City Oakland Zip 94612 Phone \_\_\_\_\_

MAX Amt. Stored > 500lbs/55g/200cf?  Y  N  
Hazardous Waste generated per month? \_\_\_\_\_

**Inspection Categories:**

- I. Haz. Mat/Waste GENERATOR/TRANSPORTER
- II. Business Plans, Acute Hazardous Materials
- III. Underground Tanks

The marked items represent violations of the Calif. Administration Code (CAC) or the Health & Safety Code (HS&C)

**I.A. GENERATOR (Title 22)**

- |                   |                                                      |         |
|-------------------|------------------------------------------------------|---------|
|                   | <input checked="" type="checkbox"/> 1. Waste ID      | * 66471 |
|                   | <input type="checkbox"/> 2. EPA ID                   | 66472   |
|                   | <input type="checkbox"/> 3. > 90 days                | 66508   |
|                   | <input type="checkbox"/> 4. Label dates              | 66508   |
|                   | <input type="checkbox"/> 5. Biennial                 | 66493   |
| Manifest          | <input type="checkbox"/> 6. Records                  | 66492   |
|                   | <input type="checkbox"/> 7. Correct                  | 66484   |
|                   | <input type="checkbox"/> 8. Copy sent                | 66492   |
|                   | <input type="checkbox"/> 9. Exception                | 66484   |
|                   | <input type="checkbox"/> 10. Copies Rec'd            | 66492   |
| Misc.             | <input type="checkbox"/> 11. Treatment               | 66371   |
|                   | <input type="checkbox"/> 12. On-site Disp. (H.S.&C.) | 26189.5 |
|                   | <input type="checkbox"/> 13. Ex Haz. Waste           | 66570   |
| Prevention        | <input type="checkbox"/> 14. Communications          | 67121   |
|                   | <input type="checkbox"/> 15. Aisle Space             | 67124   |
|                   | <input type="checkbox"/> 16. Local Authority         | 67126   |
|                   | <input type="checkbox"/> 17. Maintenance             | 67120   |
|                   | <input type="checkbox"/> 18. Training                | 67105   |
| Confin. gency     | <input type="checkbox"/> 19. Prepared                | 67140   |
|                   | <input type="checkbox"/> 20. Name List               | 67141   |
|                   | <input type="checkbox"/> 21. Copies                  | 67141   |
|                   | <input type="checkbox"/> 22. Emg. Coord. Trng.       | 67144   |
| Containers, Tanks | <input type="checkbox"/> 23. Condition               | 67241   |
|                   | <input type="checkbox"/> 24. Compatibility           | 67242   |
|                   | <input type="checkbox"/> 25. Maintenance             | 67243   |
|                   | <input type="checkbox"/> 26. Inspection              | 67244   |
|                   | <input type="checkbox"/> 27. Buffer Zone             | 67246   |
|                   | <input type="checkbox"/> 28. Tank Inspection         | 67259   |
|                   | <input type="checkbox"/> 29. Containment             | 67245   |
|                   | <input type="checkbox"/> 30. Safe Storage            | 67261   |
|                   | <input type="checkbox"/> 31. Freeboard               | 67257   |

**Comments:**

*Handwritten notes in the comments section, including "11/1/88 - 4500 14th St" and "City of Oakland".*

**I.B. TRANSPORTER (Title 22)**

- |          |                                                    |       |
|----------|----------------------------------------------------|-------|
|          | <input type="checkbox"/> 32. Applic./Insurance     | 66428 |
|          | <input type="checkbox"/> 33. Comp. Cert./CHP Insp. | 66448 |
|          | <input type="checkbox"/> 34. Containers            | 66465 |
| Manifest | <input type="checkbox"/> 35. Vehicles              | 66465 |
|          | <input type="checkbox"/> 36. EPA ID #s             | 66531 |
|          | <input type="checkbox"/> 37. Correct               | 66541 |
|          | <input type="checkbox"/> 38. HW Delivery           | 66543 |
|          | <input type="checkbox"/> 39. Records               | 66544 |
| Cont'rs  | <input type="checkbox"/> 40. Name/ Covers          | 66545 |
|          | <input type="checkbox"/> 41. Recyclables           | 66800 |

Contact: \_\_\_\_\_

Title: \_\_\_\_\_

Signature: \_\_\_\_\_

Inspector: \_\_\_\_\_

Signature: \_\_\_\_\_

# ALAMEDA COUNTY, DEPARTMENT OF ENVIRONMENTAL HEALTH

80 Swan Way, #200  
Oakland, CA 94621  
(415) 271-4320

## Hazardous Materials Division Inspection Form

Site ID# 805 Site Name OAKLAND NATIONAL ENGRAVING CO. Today's Date 4/14/94  
 Site Address 1001 42nd St. EPA ID# \_\_\_\_\_  
 City OAKLAND Zip 94608 Phone \_\_\_\_\_

MAX Amt. Stored > 500lbs/55g/200cf?  Y  N  
 Hazardous Waste generated per month? \_\_\_\_\_

**Inspection Categories:**

- I. Haz. Mat/Waste GENERATOR/TRANSPORTER
- II. Business Plans, Acute Hazardous Materials
- III. Underground Tanks

The marked items represent violations of the Calif. Administration Code (CAC) or the Health & Safety Code (HS&C)

**I.A. GENERATOR (Title 22)**

- |       |                             |         |
|-------|-----------------------------|---------|
| ___   | 1. Waste ID                 | * 66471 |
| ___   | 2. EPA ID                   | 66472   |
| ___   | 3. > 90 days                | 66508   |
| ___   | 4. Label dates              | 66508   |
| ___   | 5. Biennial                 | 66493   |
| <hr/> |                             |         |
| ___   | 6. Records                  | 66492   |
| ___   | 7. Correct                  | 66484   |
| ___   | 8. Copy sent                | 66492   |
| ___   | 9. Exception                | 66484   |
| ___   | 10. Copies Rec'd            | 66492   |
| <hr/> |                             |         |
| ___   | 11. Treatment               | 66371   |
| ___   | 12. On-site Disp. (H.S.&C.) | 261895  |
| ___   | 13. Ex Haz. Waste           | 66570   |
| <hr/> |                             |         |
| ___   | 14. Communications          | 67121   |
| ___   | 15. Aisle Space             | 67124   |
| ___   | 16. Local Authority         | 67126   |
| ___   | 17. Maintenance             | 67120   |
| ___   | 18. Training                | 67105   |
| <hr/> |                             |         |
| ___   | 19. Prepared                | 67140   |
| ___   | 20. Name List               | 67141   |
| ___   | 21. Copies                  | 67141   |
| ___   | 22. Emg. Coord. Trng.       | 67144   |
| <hr/> |                             |         |
| ___   | 23. Condition               | 67241   |
| ___   | 24. Compatibility           | 67242   |
| ___   | 25. Maintenance             | 67243   |
| ___   | 26. Inspection              | 67244   |
| ___   | 27. Buffer Zone             | 67246   |
| ___   | 28. Tank Inspection         | 67259   |
| ___   | 29. Containment             | 67245   |
| ___   | 30. Safe Storage            | 67261   |
| ___   | 31. Freeboard               | 67257   |

**Comments:**

9:45 AM - 11:15 AM  
 Ron Block - met on site.  
 On Site: Installing 1 Monitoring well between the 0 & 2 sumps. H&S closed.  
 Advancement of boring moved closer to the small sump due to refusal of the drill (maybe due to lines).  
 - collected 1 Soil sample (at approx 3 ft bgs) no noticeable smell  
 - collected 1 soil sample (at approx 8 ft bgs) had noticeable odor  
 \* note at 5 ft bgs (soil had noticeable odor).

**I.B. TRANSPORTER (Title 22)**

- |       |                           |       |
|-------|---------------------------|-------|
| ___   | 32. Applic./Insurance     | 66428 |
| ___   | 33. Comp. Cert./CHP Insp. | 66448 |
| ___   | 34. Containers            | 66465 |
| <hr/> |                           |       |
| ___   | 35. Vehicles              | 66465 |
| ___   | 36. EPA ID #s             | 66531 |
| ___   | 37. Correct               | 66541 |
| ___   | 38. HW Delivery           | 66543 |
| ___   | 39. Records               | 66544 |
| <hr/> |                           |       |
| ___   | 40. Name/ Covers          | 66545 |
| ___   | 41. Recyclables           | 66800 |

NEW well will be developed Monday (4/18/94) & groundwater sample to be collected Tuesday (4/19/94).

Contact: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Signature: \_\_\_\_\_

Inspector: \_\_\_\_\_  
 Signature: Bruce L. Hays



1221 Thames Drive  
Concord, California 94518  
(510) 682-7200 FAX 682-8360

March 14, 1994

Mr. Brian Oliva  
Alameda County Health Care Agency  
Department of Environmental Health  
Hazardous Material Division  
80 Swan Way, Rm. 200  
Oakland, CA 94621

Subject: Soil Sampling and Installation of Monitoring Well at ONE Color  
Communications, 1001 42nd St., Oakland, CA

Dear Mr. Oliva:

Block Environmental Services (BES) will be sampling soil and installing a monitoring well at the subject address on April 14, 1994 in accordance with the Work Plan dated December 15, 1994. Work will commence at around 9:00 AM.

One addendum to the December 15, 1994 work plan will be the installation of a monitoring well through the boring described in the Work Plan. A grab ground water sample will not be collected as originally proposed in the work plan. The monitoring well will be installed with locking cap to a depth of about 30 feet. The well will be screened with 0.020 inch slotted Schedule 40 PVC. The screen will be 20 feet from the bottom of the well. Well installation will be in accordance with requirements of the Alameda County Flood Control and Water Conservation District. All applicable permits will be obtained prior to drilling.

The monitoring well will be developed prior to sampling. All other protocols discussed in the December 15, 1994 Work Plan will remain the same.

If you have any questions or concerns on these matters, do not hesitate to contact me.

Very truly yours,  
BLOCK ENVIRONMENTAL SERVICES, INC

Ronald M. Block, Ph.D.  
President

cc: Mr. Gary Leach, ONE Color Communications

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, Assistant Agency Director

January 25, 1994

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

Mr. Gary Leach  
c/o Oakland National Engraving  
1001 42nd Street,  
Oakland, CA 94608

Subject: Workplan for Investigation of Former Sump at 1001 42nd St., Oakland, CA 94608

Dear Mr. Leach:

This office has received and reviewed the "Workplan to Sample Soil and Groundwater...", submitted on December 15, 1993, by Block Environmental Services, your consultant of record. Thank you for presenting this document to this office for review. The workplan has been developed for the purpose of evaluating the possibility of release of solvents and other related chemical wastes.

Upon review of the workplan, this office concurs with your consultants' plan for the investigation of the site with the following recommendation(s).

- 1) Please provide this office with confirmation of proper disposal of the sludge removed from the sump as hazardous waste, or otherwise characterize the waste prior to disposal.
- 2) Please inform this office at least 72 hours prior to any sampling at the site so as to allow time for scheduling for the purposes of observing the sampling.

If you have any questions, please do not hesitate to call this office. The number is (510) 271-4320.

Sincerely,

A handwritten signature in cursive script, appearing to read "Brian P. Oliva".

Brian P. Oliva, REHS, REA  
Sr. Hazardous Materials Specialist

cc: Ron Block, Block Environmental Services  
Susan Hugo, Alameda County Local Oversight Program  
files

ALAMEDA COUNTY HAZARDOUS MATERIALS DIVISION  
 DEPOSIT / REFUND ACCOUNT SHEET

printed 07/16/96

SITE INFORMATION

Oakland National Engravers  
 1001 42nd St  
 Emeryville 94608  
 Site Contact:  
 Site Phone :

|                    |     |
|--------------------|-----|
| StID: 805 Site#:   | 12  |
| PROJECT#:          | 12B |
| PROJECT TYPE:*** R | *** |
| INSP: Brian Oliva  |     |
| ACCT. SHEET PG #:  |     |

PROPERTY OWNER INFORMATION

PAYOR INFORMATION

Owner Contact:  
 Owner Phone :

One Color Communication  
 1001 42nd St  
 Oakland CA 94608 #782  
 Payor Contact:  
 Payor Phone : 652-9005

| Date     | Action Taken                                    | Time  |       | Hours Spent/<br>Depstd | Hour Balnce | Money Spent/<br>Depositd | Money Balance |
|----------|-------------------------------------------------|-------|-------|------------------------|-------------|--------------------------|---------------|
|          |                                                 | In    | Out   |                        |             |                          |               |
| =====    | =====                                           | ===== | ===== | =====                  | =====       | =====                    | =====         |
|          | Balance from Prev. Page                         | ..... | ..... | .....                  |             | .....                    |               |
| 01/21/94 | Rcpt# 725518<br>Deposit of \$400.00 @ \$94/hour |       |       | +4.25                  |             | +\$400.00                |               |
| ~~~~~    | ~~~~~                                           | ~~~~~ | ~~~~~ | ~~~~~                  | ~~~~~       | ~~~~~                    | ~~~~~         |
| _____    | _____                                           | _____ | _____ | _____                  | _____       | _____                    | _____         |
| _____    | _____                                           | _____ | _____ | _____                  | _____       | _____                    | _____         |
| _____    | _____                                           | _____ | _____ | _____                  | _____       | _____                    | _____         |
| _____    | _____                                           | _____ | _____ | _____                  | _____       | _____                    | _____         |
| _____    | _____                                           | _____ | _____ | _____                  | _____       | _____                    | _____         |
| _____    | _____                                           | _____ | _____ | _____                  | _____       | _____                    | _____         |
| _____    | _____                                           | _____ | _____ | _____                  | _____       | _____                    | _____         |
| _____    | _____                                           | _____ | _____ | _____                  | _____       | _____                    | _____         |

UPON COMPLETION OF PROJECT

PROJ COMPLETED BY : \_\_\_\_\_ ATTACH:  State Forms A, B & C  
 Billing Adjustment\*  
 DATE OF COMPLETION : \_\_\_\_\_ DATE SENT TO BILLING: \_\_\_\_\_  
 TOTAL COST OF PROJECT: \_\_\_\_\_ REFUND AMOUNT: \_\_\_\_\_ Rev. 5/96

\* Billing adjustment forms needed when site is in our UST program.



1/20/94

Brian,

Please see Leslie regarding this  
Check.

Brian,  
Did you ~~bring~~ fill  
out a billing adj.  
form for this site.  
This is a different  
name than what's on  
the computer.

003427

OAKLAND NATIONAL ENGRAVING COMPANY, INC.

| INVOICE NO. | INVOICE DATE | AMOUNT | DISCOUNT | PAYMENT |
|-------------|--------------|--------|----------|---------|
| 11294       | 01/12/94     | 400.00 |          | 400.00  |
|             |              | 400.00 |          | 400.00  |

3427

94 JAN 20 PM 1:53

ALCO  
HAZMAT

per Brian Oliva  
Sump removal  
is at 1001 42nd  
#805  
not → Oversight costs for sump removal  
at 1010 41st Street.  
STD 1810



COLOR communications

1001 42nd STREET  
OAKLAND, CA. 94608  
TELEPHONE (510) 652-9005

January 19, 1994

11-24/103  
1210(8)

OAKLAND MAIN OFFICE  
WELLS FARGO BANK  
2020 WEBSTER STREET  
OAKLAND, CA. 94612

003427

PAY TO THE ORDER OF

\*\*\*\*\*\$400.00\*\*\*

\*\*\*FOUR HUNDRED & NO/100 DOLLARS\*\*\*

ALAMEDA COUNTY HEALTH  
AGENCY CARE SERVICES  
80 SWAN WAY RM 200  
OAKLAND CA 94621

195

OAKLAND NATIONAL ENGRAVING COMPANY, INC.

SIGNATURE

*Gay Leach*

⑈0003427⑈ ⑆121000248⑆4103 125886⑈

white -env.health  
 yellow -facility  
 pink -files

ALAMEDA COUNTY, DEPARTMENT OF ENVIRONMENTAL HEALTH

80 Swan Way, #200  
 Oakland, CA 94621  
 (415) 271-4320

Hazardous Materials Inspection Form

II, III

Site ID # 805 Site Name Oakland National Today's Date 11/17/93

Site Address 1001 42<sup>ncl</sup> ST  
 City Oakland Zip 94608 Phone \_\_\_\_\_

MAX AMT stored > 500 lbs, 55 gal., 200 cft.?

Inspection Categories:

- I. Haz. Mat/Waste GENERATOR/TRANSPORTER
- II. Business Plans, Acute Hazardous Materials
- III. Underground Tanks

Calif. Administration Code (CAC) or the Health & Safety Code (HS&C)

Comments:

This is a facility with USTs that have been removed as of 5-93. Required actions: Complete and submit the following items: however there is a sump at the rear of the facility that had laboratory analysis of catfor chlorinated solvent done yielded 79 ppm in sump sludge. The owner/operator Oakland National Engineering - indicates they wish oversight for closure of sump. for oversight by Al Co Hyman. Submit a workplan for closure of sump include a representative sample of the sump area.

II.A BUSINESS PLANS (Title 19)

- 1. Immediate Reporting 2703
- 2. Bus. Plan Stds. 25503(b)
- 3. RR Cars > 30 days 25503.7
- 4. Inventory Information 25504(a)
- 5. Inventory Complete 2730
- 6. Emergency Response 25504(b)
- 7. Training 25504(c)
- 8. Deficiency 25505(a)
- 9. Modification 25505(b)

II.B ACUTELY HAZ. MATLS

- 10. Registration Form Filed 25533(a)
- 11. Form Complete 25533(b)
- 12. RMPP Contents 25534(c)
- 13. Implement Sch. Req'd? (Y/N)
- 14. OnSite Conseq. Assess. 25524(c)
- 15. Probable Risk Assessment 25534(d)
- 16. Persons Responsible 25534(g)
- 17. Certification 25534(i)
- 18. Exemption Request? (Y/N) 25536(b)
- 19. Trade Secret Requested? 25538

III. UNDERGROUND TANKS (Title 23)

- General
- 1. Permit Application 25284 (H&S)
  - 2. Pipeline Leak Detection 25292 (H&S)
  - 3. Records Maintenance 2712
  - 4. Release Report 2651
  - 5. Closure Plans 2670

Monitoring for Existing Tanks

- 6. Method
  - 1) Monthly Test
  - 2) Daily Vadose Semi-annual groundwater One time soils
  - 3) Daily Vadose One time soils Annual tank test
  - 4) Monthly Groundwater One time soils
  - 5) Daily Inventory Annual tank testing Cont pipe leak det Vadose/groundwater mon.
  - 6) Daily Inventory Annual tank testing Cont pipe leak det
  - 7) Weekly Tank Gauge Annual tank testing
  - 8) Annual Tank Testing Daily inventory
  - 9) Other \_\_\_\_\_

- 7. Precs Tank Test Date: 2643
- 8. Inventory Rec. 2644
- 9. Soil Testing . 2646
- 10. Ground Water. 2647

New Tanks

- 11. Monitor Plan 2632
- 12. Access. Secure. 2634
- 13. Plans Submit Date: 2711
- 14. As Built Date: 2635

Rev 8/88

Contact: X Gary Leach  
 Title: VP, CFO  
 Signature: Gary Leach

Inspector: Bruce P. Ole  
 Signature: \_\_\_\_\_

II, III

**BLOCK ENVIRONMENTAL SERVICES**



**Ronald M. Block, Ph.D., REA**  
Principal

1221 Thames Drive  
Concord, California 94518  
(510) 682-7200 FAX 682-8360



**BLOCK ENVIRONMENTAL SERVICES**

1221 Thames Drive  
Concord, California 94518  
(510) 682-7200 FAX 682-8360

*3717 805*

93 SEP 31 AM 11:46

*Brian meeting on site  
Snow. 17, 1993  
@ 10:00 AM*

September 27, 1993

Ms. Susan Hugo  
Hazardous Materials Specialist  
Alameda County Department  
of Environmental Health  
Hazardous Materials Division  
80 Swan Way, Room 200  
Oakland, CA 94621

Subject: Former Boysen Paint Company, Emeryville, California

*Oakland National Engraving  
1801 42nd St Oakland 94609*

Dear Ms. Hugo:

Block Environmental Services (BES) has been retained by the law firm of McInerney & Dillon to review the report "Underground Storage Tank Closure and Groundwater Investigation Report for the Former Boysen Paint Facility, 41st Street, Emeryville California. The report was prepared by Environmental Strategies Corporation (ESC) of San Jose and is dated August 16, 1993. McInerney & Dillon is the law firm representing Oakland National Engraving Company (ONE) who currently occupy the site.

The report concludes that the soil sampling data at the sump location within the furniture company (former Rockridge Antiques) indicate high concentrations of TPH and VOC compounds. The data indicate 17,000 ug/Kg of methylene chloride, 460 ug/Kg of trichloroethylene, 14,000 ug/Kg total xylenes, 1,100 ug/Kg toluene, and 1,400 ug/Kg ethylbenzene. The report concludes that there is a correlation between the analytes detected near the tank and those found in the sump area.

BES does not agree with the report's conclusion for several reasons. The "sump area sample" was collected from a storm drain clean out which is connected to a steel and concrete lined sump about 3.5 feet from the sump. The sump is lined at the bottom with 0.5 inch steel and is surrounded with concrete estimated to be three feet thick. The storm drain clean out and the sump itself appear to have retained its integrity over the years in that water added to the sump or clean out drain does not appear to leak.

Furthermore, wastewater cleaned out from the sump itself during July and August, 1993, contained relatively high concentrations of methylene chloride. The data from the ESC report indicated methylene chloride in the clean out drain bottom sludge to contain as much as 17,000 ug/Kg methylene chloride. A comparison of the soil sorption coefficients ( $K_{oc}$ ) for methylene chloride and for mineral spirits, 25 and 700 to  $5.5 \times 10^6$  respectively, would indicate that methylene chloride



would percolate to groundwater before the mineral spirits detected in the sludge sample. The ESC report indicates that no methylene chloride or any other volatile organic compounds (VOC) as determined by EPA Method 8240 was detected in any of the groundwater samples near the tank or in any other monitoring well location. In essence, methylene chloride would act as a tracer for any chemical release from the sump area.

Because methylene chloride or any other VOC including xylene and toluene from the sump area was not found in the soil or groundwater samples from the ESC investigation, it can be concluded that the sump area has not contributed to the total purgeable or extractable hydrocarbons (TPH and TEH) found in the ground water where the tank was closed in place at the former Boysen Paint Facility. It appears more probable that the high concentrations of TPH and TEH are from the piping which lead into the tank. It was noted in the ESC report that the piping which was removed before the tank was closed in place had holes or was broken. It would appear that these broken pipes would be a more probable source for chemical release into the soil and groundwater than the sump area as concluded by ESC. Similarly, the trench water which was sampled and analyzed by ESC contained 12,000 ug/L of TEH, 24,000 ug/L of TPH and 130 ug/L of xylene. No other VOCs were detected in the trench water. Again, it can be concluded that the trench water, whatever its source, was not influenced by any chemical releases from the sump area.

For the reasons stated above, the sump area appears to have retained its integrity and has not contributed to any chemical releases to soil or groundwater. ONE is trying to close a part of the sump area drainage where the storm water clean out is located. The area is to be used as an employee lunch area. ONE would like confirmation from Alameda County Department of Environmental Health (ACDEH) that the sump area may be closed without further consideration. ONE will clean the sludge from the storm drain clean out, rinse with water and grout the hole. All waste will be disposed of under the requirements of California Code of Regulations, Title 22.

You are invited to inspect the sump area prior to closure before you render your final approval if you desire. Please contact me if you have any further questions or wish to inspect the site.

Very truly yours,  
BLOCK ENVIRONMENTAL SERVICES, INC.

A handwritten signature in black ink that reads "Ronald M. Block". The signature is written in a cursive style with a large, stylized initial "R".

Ronald M. Block, Ph.D.  
Project Manager

cc: Gary Leach, ONE  
L. Randolph Harris, McInerney & Dillon



ENVIRONMENTAL STRATEGIES CORPORATION

101 Metro Drive • Suite 650 • San Jose, California 95110 • (408) 453-6100 • FAX (408) 453-0496

July 26, 1993

Ms. Susan L. Hugo  
Senior Hazardous Materials Specialist  
Division of Hazardous Materials  
Department of Environmental Health  
80 Swan Way, Room 350  
Oakland, California 94621

Re: Extension for Underground Storage Tank Report Submittal

Dear Ms Hugo:

This letter is to confirm the discussion between you and Bob Bealkowski of Environmental Strategies Corporations (ESC) during the meeting on July 26, 1993. ESC on behalf of Grow Group is requesting a one week extension for the Underground Storage Tank Closure and Supplemental Soil and Groundwater Investigation report that is due on August 9, 1993. ESC will submit the referenced report by August 16, 1993.

If you have any questions regarding this matter, please do not hesitate to call me.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Jacqueline Thiell", written in dark ink.

Jacqueline P. Thiell  
Assistant Regional Director

JPT:bbb:bl  
632

cc: Henry Jones, Grow Group

**ENVIRONMENTAL STRATEGIES CORPORATION**

101 Metro Drive • Suite 850 • San Jose, California 95110 • (408) 453-6100 • FAX (408) 453-0496

July 26, 1993

Ms. Susan L. Hugo  
Senior Hazardous Materials Specialist  
Division of Hazardous Materials  
Department of Environmental Health  
80 Swan Way, Room 350  
Oakland, California 94621

Re: Extension for Underground Storage Tank Report Submittal

Dear Ms Hugo:

This letter is to confirm the discussion between you and Bob Bealkowski of Environmental Strategies Corporations (ESC) during the meeting on July 26, 1993. ESC on behalf of Grow Group is requesting a one week extension for the Underground Storage Tank Closure and Supplemental Soil and Groundwater Investigation report that is due on August 9, 1993. ESC will submit the referenced report by August 16, 1993.

If you have any questions regarding this matter, please do not hesitate to call me.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Jacqueline P. Thiel", written in dark ink.

Jacqueline P. Thiel  
Assistant Regional Director

JPT:bbb:bl  
632

cc: Henry Jones, Grow Group



ENVIRONMENTAL STRATEGIES CORPORATION

101 Metro Drive • Suite 650 • San Jose, California 95110 • (408) 453-6100 • FAX (408) 453-0496

FAX COVER SHEET

TO: Susan Hugo

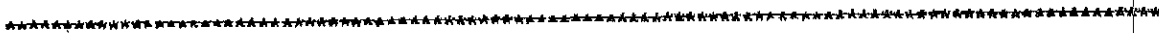
FAX No.: 510 569-4757

DATE: 7/26/93

TOTAL NO. OF PAGES: \_\_\_\_\_ Hard Copy to Follow   
(including cover sheet)

FROM: Bob Berkowski

RE: \_\_\_\_\_



Message

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ENVIRONMENTAL STRATEGIES CORPORATION

101 Metro Drive • Suite 650 • San Jose, California 95110 • (408) 453-6100 • FAX (408) 453-0496

May 17, 1993

Ms. Susan Hugo  
Hazardous Materials Specialist  
Alameda County Department of Environmental Health  
Hazardous Materials Division  
80 Swan Way, Room 200  
Oakland, CA 94621

Re: Former Boysen Paint Company  
1001 42nd Street, Oakland, CA 94608

Dear Susan:

As a follow-up to our correspondence dated April 21, 1993, and the field work conducted during the week of May 10, 1993 at the referenced site, the site investigation work is now scheduled to begin on Monday, May 24, 1993. This work will include the installation of groundwater monitoring wells as outlined in the approved Environmental Strategies Corporation Work Plan revised November 10, 1992. As discussed with you in the field, the "sidewall" samples collected on May 13, 1993 will replace the three planned borings around the former underground tank and it is not deemed necessary to replace existing groundwater monitoring well MW-1 located west of and adjacent to the tank.

Please call if you have any questions or need additional information. We will call to confirm our field schedule by Friday, May 21, 1993.

Sincerely yours,

A handwritten signature in cursive script that reads "Rick Freudenberger". The signature is written in black ink and is positioned above the typed name.

Richard E. Freudenberger  
Senior Vice President

REF:ljw  
489

cc: Mr. Henry Jones, Grow Group, Inc.  
Mr. Eddy So, RWQCB, San Francisco Region



ENVIRONMENTAL STRATEGIES CORPORATION

101 Metro Drive • Suite 650 • San Jose, California 95110 • (408) 453-6100 • FAX (408) 453-0496

May 17, 1993

Ms. Susan Hugo  
Hazardous Materials Specialist  
Alameda County Department of Environmental Health  
Hazardous Materials Division  
80 Swan Way, Room 200  
Oakland, CA 94621

Re: Former Boysen Paint Company  
1001 42nd Street, Oakland, CA 94608

Dear Susan:

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Please call if you have any questions or need additional information. We will call to confirm our field schedule by Friday, May 21, 1993.

Sincerely yours,

Richard E. Freudemberger  
Senior Vice President

REF:ljw  
489

cc: Mr. Henry Jones, Grow Group, Inc.  
Mr. Eddy So, RWQCB, San Francisco Region



STIP 805

ENVIRONMENTAL STRATEGIES CORPORATION

101 Metro Drive • Suite 650 • San Jose, California 95110 • (408) 453-6100 • FAX (408) 453-0496

FAX COVER SHEET

TO: MS. Susan Hugo

Alameda County Department of Envir. Health

FAX No.: 510-569-4757

DATE: 5-17-93

TOTAL NO. OF PAGES: 2  
(including cover sheet)

Hard Copy to Follow

FROM: Rick Freudenberger

RE: \_\_\_\_\_

\*\*\*\*\*

Message

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
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\_\_\_\_\_

93 AUG 17 PM 1:10

**GROW GROUP, INC.**

4000 Dupont Circle  
Louisville, Kentucky 40207  
Telephone (502) 897-9861

August 16, 1993  
HWJ-061-93

Ms. Susan Hugo  
Hazardous Materials Specialist  
Alameda County Department  
of Environmental Health  
Hazardous Materials Division  
80 Swan Way, Room 200  
Oakland, CA 94621

**RE: FORMER BOYSEN PAINT COMPANY, EMERYVILLE, CALIFORNIA**

Dear Susan:

Enclosed please find a copy of the Underground Storage Tank Closure and Supplemental Soil and Groundwater Investigation Report for the referenced site.

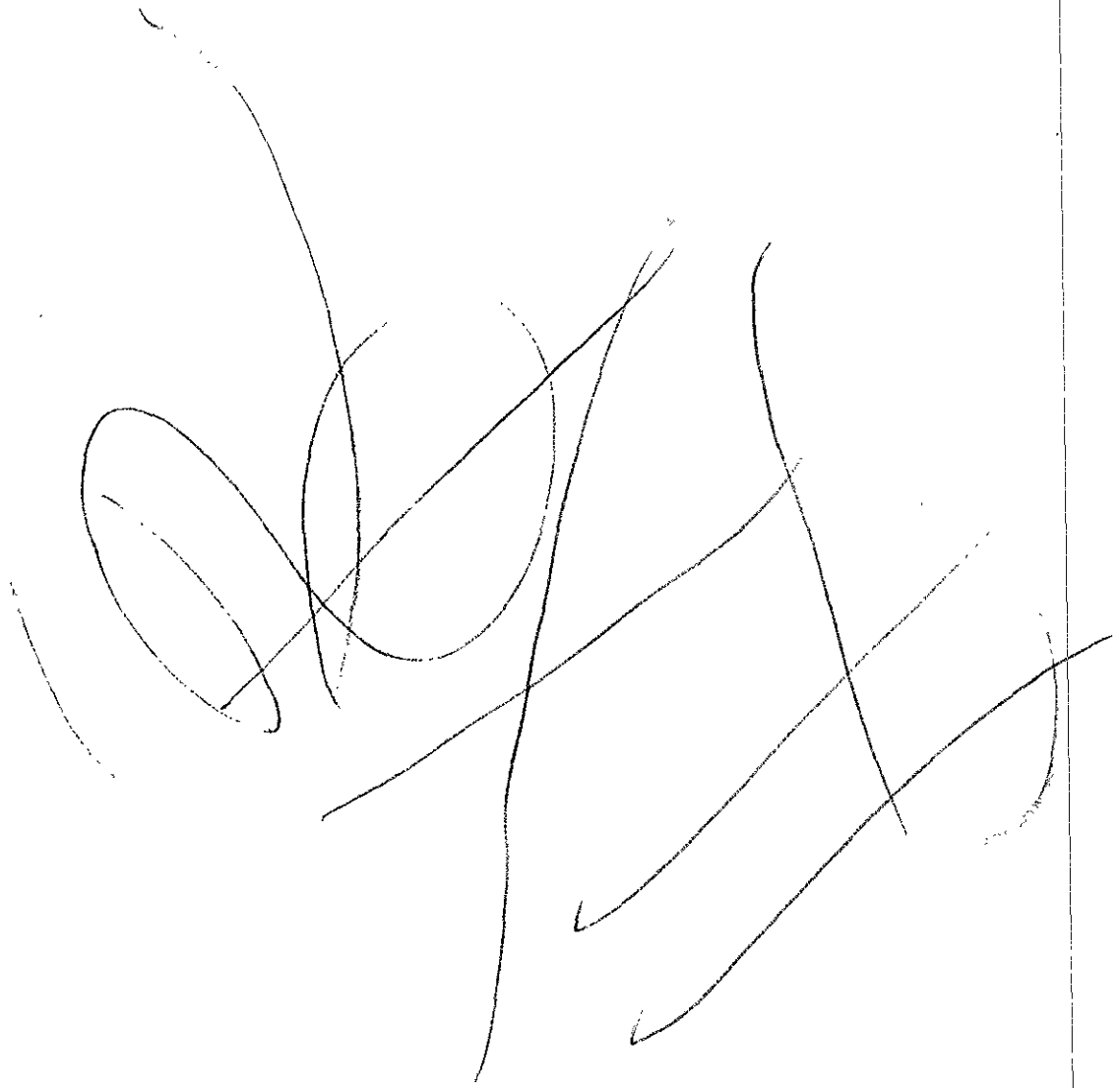
This report, with the seal of a California Registered Geologist, presents the results for the closure in-place and associated investigation for the former Boysen Paint Company underground tank in Emeryville, California. Grow Group, Inc. confirms the content and accuracy of the enclosed report and is prepared to implement the proposed schedule contained in the report.

Regards,

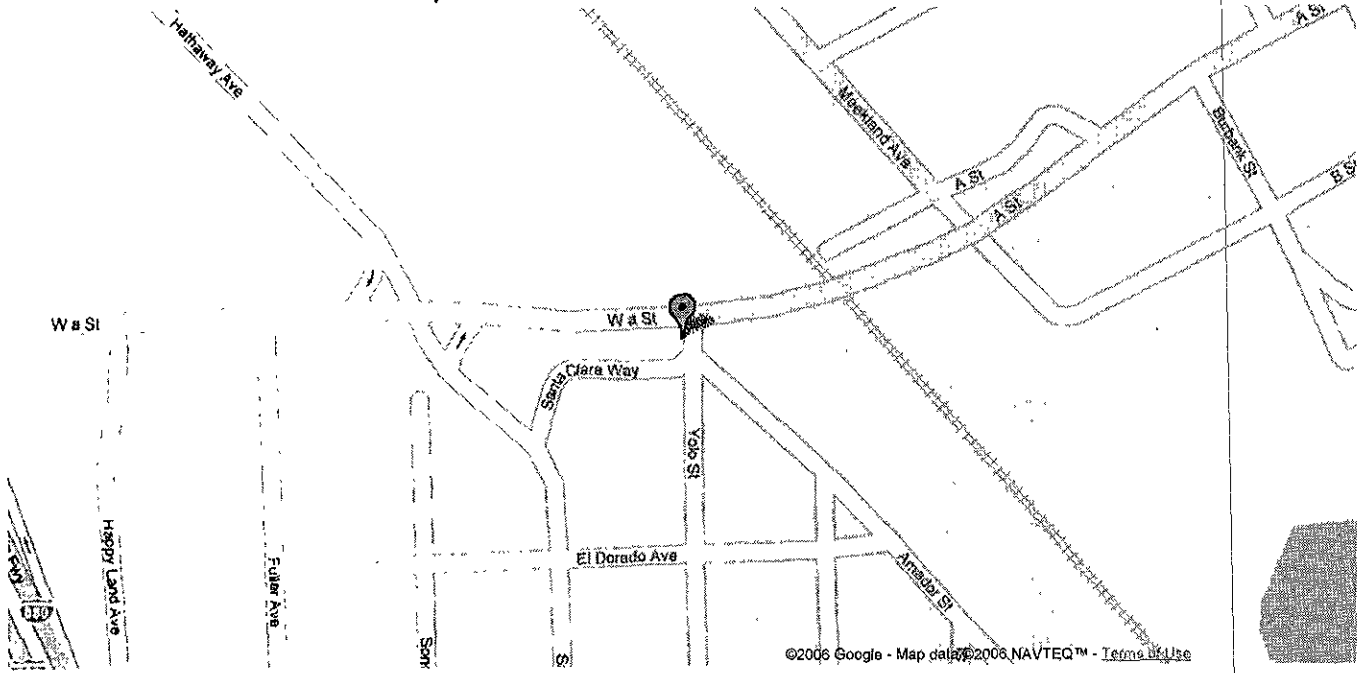


Henry W Jones  
Director  
Environmental, Safety  
& Health Compliance

/ks  
Enclosure



Google  
Maps





STD 805

ENVIRONMENTAL STRATEGIES CORPORATION

101 Metro Drive • Suite 650 • San Jose, California 95110 • (408) 453-6100 • FAX (408) 453-0495

May 4, 1993

Ms. Susan L. Hugo  
Senior Hazardous Materials Specialist  
Alameda County Health Care Services Agency  
Department of Environmental Health  
Hazardous Materials Division  
80 Swan Way, Room 200  
Oakland, California, 94621

Re: Former Boysen Paint Company, 1001 42nd Street, <sup>Emeryville</sup> ~~Oakland~~, California 94608  
Amendment to Underground Tank Closure Plan Application

Dear Ms Hugo:

Environmental Strategies Corporation (ESC), on behalf of Grow Group, Inc., wishes to amend the enclosed copy of the Underground Tank Closure Plan Application for the underground tank located at 1001 42nd Street in Emeryville, California submitted on November 13, 1992. The following are requested changes:

**Item 6**

The contractor previously was Pearson Equipment and Maintenance Co. located at 18305 Lake Chabot Road in Castro Valley, California 94546.

**REQUESTED CHANGES**

The new contractor will be KTW & Associates located at 43289 Osgood Road in Fremont, California 94539. The phone number is (510) 623-0480. The license type is A Hazardous, C-61, D-40 and the ID No. is 572427, expiring on July 31, 1993.

**Item 8**

The previous contact person for the investigation was Tom Sparrowe.

**REQUESTED CHANGES**

The new contact person for the investigation is now Bob Bealkowski, Senior Environmental Scientist at Environmental Strategies Corporation.

**Item 11**

The experienced sample collector was Tom Sparrowe.

**REQUESTED CHANGES**

The new experienced sample collector is Bob Bealkowski.

**Item 12**

The laboratory was Net Pacific, Inc., located at 435 Tesconi Circle in Santa Rosa, California 95401.

**REQUESTED CHANGES**

The new laboratory is Sequoia Analytical Services, Inc., located at 680 Chesapeake Drive in Redwood City California, 94063. Their State Certification No. is 1210.

ESC will commence work on May 10, 1993. If you have any questions, please do not hesitate to call me.

Sincerely yours,



Richard E. Freudenberger  
Senior Vice President

REF:bbb:ljw  
432

enclosure

cc: Mr. Henry Jones, Grow Group, Inc.





6. Contractor Pearson Equipment and Maintenance Co.  
Address 18305 Lake Chabot Rd.  
City Castro Valley, CA 94546 Phone (510) 889-7888  
License Type\* A C-61 ID# 630936 app. - 10/31/93

\*Effective January 1, 1992, Business and Professional Code Section 7058.7 requires prime contractors to also hold Hazardous Waste Certification issued by the State Contractors License Board. Indicate that the certificate has been received, in addition, to holding the appropriate contractors license type.

7. Consultant Environmental Strategies Corporation  
Address 101 Metro Drive, Suite 650  
City San Jose, CA Phone (408) 453-6100

8. Contact Person for Investigation  
Name Thomas Sparrowe Title Registered Geologist   
Phone (408) 453-6100

9. Number of tanks being closed under this plan one  
Length of piping being removed under this plan 30  
Total number of tanks at facility one

10. State Registered Hazardous Waste Transporters/Facilities (see instructions).

\*\* Underground tanks are hazardous waste and must be handled \*\*  
as hazardous waste

a) Product/Residual Sludge/Rinsate Transporter  
Name Not applicable. EPA I.D. No. \_\_\_\_\_  
Hauler License No. \_\_\_\_\_ License Exp. Date \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

b) Product/Residual Sludge/Rinsate Disposal Site  
Name Not applicable. EPA I.D. No. \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

c) Tank and Piping Transporter

Name Not applicable EPA I.D. No. \_\_\_\_\_  
Hauler License No. \_\_\_\_\_ License Exp. Date \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

d) Tank and Piping Disposal Site

Name Not applicable EPA I.D. No. \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

11. Experienced Sample Collector

Name Thomas Sparrowe  
Company Environmental Strategies Corporation  
Address 101 Metro Drive, Suite 650  
City San Jose State CA Zip 95110 Phone (408)453-6100

12. Laboratory

Name Net Pacific, Inc.  
Address - 435 Tesconi Circle  
City Santa Rosa State CA Zip 95401  
State Certification No. 178

13. Have tanks or pipes leaked in the past? Yes [ ] No [ ] Unknown

If yes, describe. Unauthorized release reported in 1988 by OHM Remedial Services Corporation to Alameda County based on site observations.  
Unknown if subject tank is the source.



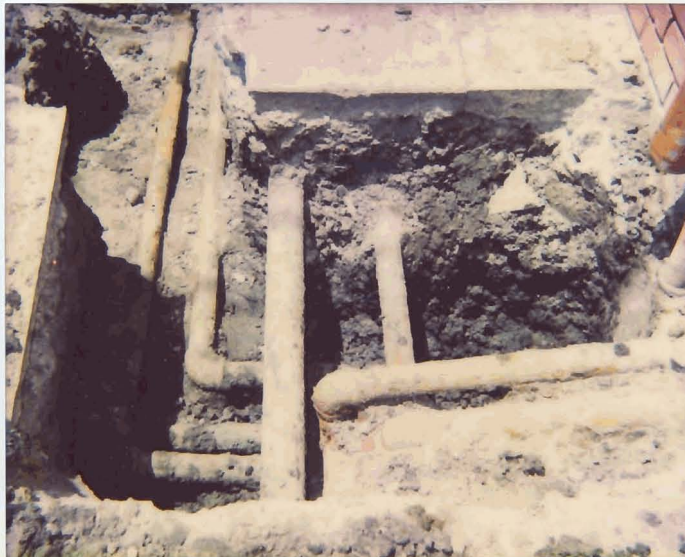
5/13/93  
STID805

Sample <sup>sidewall</sup> next to  
Street (at 7/1 bgs)



5/12/93  
STID 805

Pipes exposed,  
strong saturation  
coming from utility pipes



5/13/93  
STID805

Strong discoloration  
at piping runs



5/11/93 STID 805  
Exposed tank - bigger than  
5000 G



5/11/93 STID 805 - 1001 4and St  
Emerysville  
Triple lining the  
tank. Sample collected for rinsate



5/11/93 STID 805  
collecting sample from  
rinsate.



5/11/93 STID 805 - 1001 4and St  
Emerysville  
looked at tank bigger  
than 5,000 G



5/13/93 STID 805 - 1001 - 4and St  
Emerysville  
Tank testing



STID 805 1001 - 4and Emerysville 4400  
with later lines / product lines  
at southern end of PIT.  
5/13/93 exposed tank for (10,000 G)

14. Describe methods to be used for rendering tank inert

The method that will be used for rendering the tank inert is

described in detail in the attached In-Place Closure Plan

Before tanks are pumped out and inerted, all associated piping must be flushed out into the tanks. All accessible associated piping must then be removed. Inaccessible piping must be plugged.

The Bay Area Air Quality Management District (771-6000), along with local Fire and Building Departments, must also be contacted for tank removal permits. Fire departments typically require the use of explosion proof combustible gas meters to verify tank inertness. It is the contractor's responsibility to bring a working combustible gas meter on site to verify tank inertness.

15. Tank History and Sampling Information

| Tank       |                                | Material to be sampled (tank contents, soil, ground-water, etc.) | Location and Depth of Samples                                                                                             |
|------------|--------------------------------|------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------|
| Capacity   | Use History (see instructions) |                                                                  |                                                                                                                           |
| 5,000 gal. | mineral spirits                | tank contents, soil under pipe                                   | If liquid is in the tank a bailer will be lowered to bottom of tank (15 feet) and a sample will be collected for analysis |

One soil sample must be collected for every 20 feet of piping that is removed. A ground water sample must be collected should any ground water be present in the excavation.

| Excavated/Stockpiled Soil          |               |
|------------------------------------|---------------|
| Stockpiled Soil Volume (Estimated) | Sampling Plan |
|                                    |               |

Stockpiled soil must be placed on bermed plastic and must be completely covered by plastic sheeting.

16. Chemical methods and associated detection limits to be used for analyzing samples

The Tri-Regional Board recommended minimum verification analyses and practical quantitation reporting limits should be followed. See attached Table 2.

| Contaminant Sought       | EPA, DHS, or Other Sample Preparation Method Number | EPA, DHS, or Other Analysis Method Number | Method Detection Limit |
|--------------------------|-----------------------------------------------------|-------------------------------------------|------------------------|
| TPH-G as soil            | EPA Method 5030 (purge & trap)                      | EPA Method 5030                           | 1.0 ppm                |
| water                    | EPA Method 5030 (purge & trap)                      | EPA Method 5030                           | 50.0 ppb               |
| TPH-D as soil            | EPA Method 3550 (extraction)                        | EPA Method 3550                           | 1.0 ppm                |
| water                    | EPA Method 3550 (extraction)                        | EPA Method 3550                           | 50.0 ppb               |
| BTEX soil                | EPA Method 8020 (purge & trap)                      | EPA Method 8020                           | 0.005 ppm              |
| water                    | EPA Method 602, 624, or 8260                        | EPA Method 602, 624, or 8260              | 0.5 ppb                |
| <i>Volatile Organics</i> | <i>8240 or 8260</i>                                 |                                           |                        |

17. Submit Site Health and Safety Plan (See Instructions)

The site Health and Safety Plan is included in the Supplemental Soil and Groundwater Investigation.

STID 805



ENVIRONMENTAL STRATEGIES CORPORATION

101 Metro Drive • Suite 650 • San Jose, California 95110 • (408) 453-6100 • FAX (408) 453-0496

FAX COVER SHEET

TO: Ms. Susan Hugo

Alameda County Healthcare Services Agency

FAX No.: 510-569-4757

DATE: 5-4-93

TOTAL NO. OF PAGES: 9  
(Including cover sheet)

Hard Copy to Follow

FROM: Richard Freudenberger

RE: \_\_\_\_\_

Message

\_\_\_\_\_  
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**Item 11**

The experienced sample collector was Tom Sparrowe.

**REQUESTED CHANGES**

The new experienced sample collector is Bob Bealkowski.

**Item 12**

The laboratory was Net Pacific, Inc., located at 435 Tesconi Circle in Santa Rosa, California 95401.

**REQUESTED CHANGES**

The new laboratory is Sequoia Analytical Services, Inc., located at 680 Chesapeake Drive in Redwood City California, 94063. Their State Certification No. is 1210.

BSC will commence work on May 10, 1993. If you have any questions, please do not hesitate to call me.

Sincerely yours,



Richard E. Freudenberger  
Senior Vice President

REF:bbb:ljw  
432

enclosure

cc: Mr. Henry Jones, Grow Group, Inc.

| Excavated/Stockpiled Soil          |               |
|------------------------------------|---------------|
| Stockpiled Soil Volume (Estimated) | Sampling Plan |
|                                    |               |

stockpiled soil must be placed on bermed plastic and must be completely covered by plastic sheeting.

16. Chemical methods and associated detection limits to be used for analyzing samples

The Tri-Regional Board recommended minimum verification analyses and practical quantitation reporting limits should be followed. See attached Table 2.

| Contaminant Sought  | EPA, DHS, or Other Sample Preparation Method Number | EPA, DHS, or Other Analysis Method Number | Method Detection Limit |
|---------------------|-----------------------------------------------------|-------------------------------------------|------------------------|
| TPH-G as soil       | EPA Method 5030 (purge & trap)                      | EPA Method 5030                           | 1.0 ppm                |
| water               | EPA Method 5030 (purge & trap)                      | EPA Method 5030                           | 50.0 ppb               |
| TPH-D as soil       | EPA Method 3550 (extraction)                        | EPA Method 3550                           | 1.0 ppm                |
| water               | EPA Method 3550 (extraction)                        | EPA Method 3550                           | 50.0 ppb               |
| BTEX soil           | EPA Method 8020 (purge & trap)                      | EPA Method 8020                           | 0.005 ppm              |
| water               | EPA Method 602, 624, or 8260                        | EPA Method 602, 624, or 8260              | 0.5 ppb                |
| <i>W. C. Tiller</i> | <i>8240 or 8260</i>                                 |                                           |                        |

17. Submit Site Health and Safety Plan (See Instructions)

The site Health and Safety Plan is included in the Supplemental Soil and Groundwater Investigation.

## 14. Describe methods to be used for rendering tank inert

The method that will be used for rendering the tank inert is

described in detail in the attached In-Place Closure Plan

Before tanks are pumped out and inerted, all associated piping must be flushed out into the tanks. All accessible associated piping must then be removed. Inaccessible piping must be plugged.

The Bay Area Air Quality Management District (771-6000), along with local Fire and Building Departments, must also be contacted for tank removal permits. Fire departments typically require the use of explosion proof combustible gas meters to verify tank inertness. It is the contractor's responsibility to bring a working combustible gas meter on site to verify tank inertness.

## 15. Tank History and Sampling Information

| Tank       |                                   | Material to be sampled<br>(tank contents, soil, ground-water, etc.) | Location and Depth of Samples                                                                                             |
|------------|-----------------------------------|---------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------|
| Capacity   | Use History<br>(see instructions) |                                                                     |                                                                                                                           |
| 5,000 gal. | mineral spirits                   | tank contents, soil under pipe                                      | If liquid is in the tank a bailer will be lowered to bottom of tank (15 feet) and a sample will be collected for analysis |

One soil sample must be collected for every 20 feet of piping that is removed. A ground water sample must be collected should any ground water be present in the excavation.

c) Tank and Piping Transporter

Name Not applicable EPA I.D. No. \_\_\_\_\_  
 Hauler License No. \_\_\_\_\_ License Exp. Date \_\_\_\_\_  
 Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

d) Tank and Piping Disposal Site

Name Not applicable EPA I.D. No. \_\_\_\_\_  
 Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

11. Experienced sample Collector

Name Thomas Sparrowe  
 Company Environmental Strategies Corporation  
 Address 101 Metro Drive, Suite 650  
 City San Jose State CA Zip 95110 Phone (408)453-6100

12. Laboratory

Name Net Pacific, Inc.  
 Address 435 Tesconi Circle  
 City Santa Rosa State CA Zip 95401  
 State Certification No. 178

13. Have tanks or pipes leaked in the past? Yes [ ] No [ ] Unknown

If yes, describe. Unauthorized release reported in 1988 by OHM Remedial Services Corporation to Alameda County based on site observations.  
Unknown if subject tank is the source.

6. Contractor Pearl Equipment and Maintenance Co.  
 Address 18305 Lake Chabot Rd.  
 City Castro Valley, CA 94546 Phone (510) 889-7888  
 License Type\* A C-61 ID# 630936 Exp. - 12/31/93

Effective January 1, 1992, Business and Professional Code Section 7058.7 requires prime contractors to also hold Hazardous Waste Certification issued by the State Contractors License Board. Indicate that the certificate has been received, in addition, to holding the appropriate contractors license type.

7. Consultant Environmental Strategies Corporation  
 Address 101 Metro Drive, Suite 650  
 City Sau Jose, CA Phone (408) 453-6100

8. Contact Person for Investigation  
 Name Thomas Sparrowe Title Registered Geologist ✓  
 Phone (408) 453-6100

9. Number of tanks being closed under this plan one  
 Length of piping being removed under this plan 30  
 Total number of tanks at facility one

10. State Registered Hazardous Waste Transporters/Facilities (see instructions).

\*\* Underground tanks are hazardous waste and must be handled \*\* as hazardous waste

a) Product/Residual Sludge/Rinsate Transporter  
 Name Not applicable. EPA I.D. No. \_\_\_\_\_  
 Hauler License No. \_\_\_\_\_ License Exp. Date \_\_\_\_\_  
 Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

b) Product/Residual Sludge/Rinsate Disposal Site  
 Name Not applicable. EPA I.D. No. \_\_\_\_\_  
 Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

**ENVIRONMENTAL STRATEGIES CORPORATION**

101 Metro Drive • Suite 650 • San Jose, California 95110 • (408) 453-6100 • FAX (408) 453-0496

May 4, 1993

Ms. Susan L. Hugo  
Senior Hazardous Materials Specialist  
Alameda County Health Care Services Agency  
Department of Environmental Health  
Hazardous Materials Division  
80 Swan Way, Room 200  
Oakland, California, 94621

Re: Former Boysen Paint Company, 1001 42nd Street, Oakland, California 94608  
Amendment to Underground Tank Closure Plan Application

Dear Ms Hugo:

Environmental Strategies Corporation (ESC), on behalf of Grow Group, Inc., wishes to amend the enclosed copy of the Underground Tank Closure Plan Application for the underground tank located at 1001 42nd Street in Emeryville, California submitted on November 13, 1992. The following are requested changes:

**Item 6**

The contractor previously was Pearson Equipment and Maintenance Co. located at 18305 Lake Chabot Road in Castro Valley, California 94546.

**REQUESTED CHANGES**

The new contractor will be KTW & Associates located at 43289 Osgood Road in Fremont, California 94539. The phone number is (510) 623-0480. The license type is A Hazardous, C-61, D-40 and the ID No. is 572427, expiring on July 31, 1993.

**Item 8**

The previous contact person for the investigation was Tom Sparrowe.

**REQUESTED CHANGES**

The new contact person for the investigation is now Bob Bealkowski, Senior Environmental Scientist at Environmental Strategies Corporation.

- 18. Submit Worker's Compensation Certificate copy  
Name of Insurer \_\_\_\_\_ to be provided by contractor upon plan approval
- 19. Submit Plot Plan (See Instructions)
- 20. Enclose Deposit (See Instructions)
- 21. Report any leaks or contamination to this office within 5 days of discovery. The report shall be made on an Underground Storage Tank Unauthorized Leak/Contamination Site Report form. (see Instructions)
- 22. Submit a closure report to this office within 60 days of the tank removal. This report must contain all the information listed in item 22 of the instructions.

I declare that to the best of my knowledge and belief the statements and information provided above are correct and true.

I understand that information in addition to that provided above may be needed in order to obtain an approval from the Department of Environmental Health and that no work is to begin on this project until this plan is approved.

I understand that any changes in design, materials or equipment will void this plan if prior approval is not obtained.

I understand that all work performed during this project will be done in compliance with all applicable OSHA (Occupational Safety and Health Administration) requirements concerning personnel health and safety. I understand that site and worker safety are solely the responsibility of the property owner or his agent and that this responsibility is not shared nor assumed by the County of Alameda.

Once I have received my stamped, accepted closure plan, I will contact the project Hazardous Materials Specialist at least three working days in advance of site work to schedule the required inspections.

Signature of Contractor

Name (please type) Jack Bail

Signature \_\_\_\_\_ to be provided upon plan approval

Date \_\_\_\_\_

Signature of Site Owner or Operator Representative of former operator

Name (please type) Henry W. Jones

Signature Henry W. Jones

Date 11/13/92





ENVIRONMENTAL STRATEGIES CORPORATION

101 Metro Drive • Suite 650 • San Jose, California 95110 • (408) 453-6100 • FAX (408) 453-0496

COPIES 11/13/10

April 21, 1993

STID 805

Ms. Susan Hugo  
Senior Hazardous Materials Specialist  
Alameda County Department of Environmental Health  
Hazardous Materials Division  
80 Swan Way, Room 200  
Oakland, CA 94621

Re: Former Boysen Paint Company  
1001 42nd Street, Oakland, CA 94608

Dear Ms. Hugo:

In response to your letter of March 24, 1993 to Mr. Henry Jones of Grow Group, Inc., the following response is offered to the major items contained in the correspondence.

■ Surficial excavation and tank testing

The tank will be tested for integrity by NDE Environmental Group following limited surficial excavation to expose the top of the tank. This excavation will help determine the location of the tank vent and condition of piping connected to the tank. The piping inspection will be necessary to ensure that the tank can be properly tested.

■ Slant borings

We do not believe that the proposed slant borings will be feasible nor will they reveal possible contaminants associated with any release that may have occurred from the tank. The presence of water and sewer utilities on the curb side of the tank and the natural gas line and building on the opposite side of the tank make such slant drilling prohibitive. Similar obstructions are also present adjacent to the ends of the tank. Because the saturated zone intercepts the tank, any soil samples collected in the vicinity of the base of the tank will be from the saturated zone. Analysis of such samples are likely to reflect the influence of area groundwater contamination and will not necessarily represent the effects of a possible release from the tank. We, therefore, believe that the slant borings cannot be practically applied nor will they be a useful investigative method at the site.

\*  
Will be advancing borings around the tank

■ Groundwater monitoring well adjacent to tank

We believe the location of the existing MW-1 well is appropriate to assess direct effects on groundwater quality from any possible releases from the tank since the well is directly adjacent to the tank. A true downgradient monitoring well can not be physically located near the tank due to the building and other obstructions. In lieu of replacing MW-1 immediately, we propose to determine the actual screened interval and depth to groundwater in MW-1 during the initial field activities associated with the tank testing. Following these determinations, we will assess whether the well screen interval will ensure that data collected from the well will be representative of the groundwater quality.

■ Deed notice

The procedures for placing a notice in the deed to the property are being investigated.

■ Fire department authorization

Following the limited excavation to expose the top of the tank, we will request an inspection of the piping by the Emeryville Fire Department if any cutting of pipe will be required. We do not anticipate that cutting of the tank itself will be required.

For the investigative phase issues, the following is offered:

- All monitoring wells will be designed and constructed to be consistent with Regional Water Quality Control Board guidelines.
- Monitoring wells will be sampled for two quarters for the noted analyses on page 2 of your March 24, 1993 letter and water level and floating product thickness, if present, will also be taken.

An evaluation of water quality and groundwater gradient data will be prepared following these two quarters to determine the necessity and responsibility for continued monitoring. ??

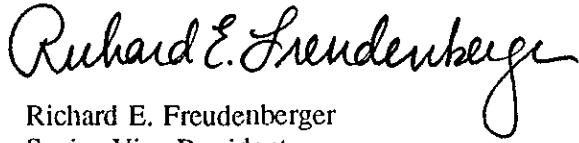
- Any remediation planning will be dependent on an evaluation of data developed during the investigation.

In conjunction with the installation of the additional groundwater monitoring wells, water level measurements, and water quality sampling, we are, by copy of this letter to appropriate parties, requesting their cooperation and your assistance in accessing neighboring wells for water level measurements and sampling. These neighboring wells include those associated with California Linen, Kelly Moore Paints (formerly Dunne Paints), and Oakland National Engravers. We believe it will be important to access these wells in order to have contemporary data concerning area wide groundwater quality and to determine groundwater gradient with the greatest accuracy.

A report will be submitted within 60 days after completion of the investigation and will incorporate the items noted on page 3 in your March 24, 1993 correspondence. We anticipate beginning work on May 10, 1993 with the limited excavation of the tank. Tank integrity testing is planned for May 13, 1993. In-place closure and installation of monitoring wells will begin during the week of May 17, 1993.

We look forward to beginning this work and will call to confirm the dates noted above for our field activities.

Sincerely yours,



Richard E. Freudenberger  
Senior Vice President

REF:ljw  
408

cc: Rafat A. Shahid - Assistant Agency Director, Enviromental Health  
Eddy So - San Francisco Bay RWQCB  
George Warren - Emeryville Fire Department  
Edgar B. Howell - Chief, Hazardous Materials Division  
Gary Leach - Oakland National Engraving  
Kelly Moore Paint c/o West Mack Builders  
California Linen  
Terry Turner



QUESTIONS? CALL 800-238-5355 TOLL FREE.

AIRBILL  
PACKAGE  
TRACKING NUMBER

6954635925

6954635925

### RECIPIENT'S COPY

|                                                           |  |                                                                                                  |  |                                                          |  |
|-----------------------------------------------------------|--|--------------------------------------------------------------------------------------------------|--|----------------------------------------------------------|--|
| Date<br>4/26/93                                           |  | To (Recipient's Name) Please Print<br>SUSAN RUGO                                                 |  | Recipient's Phone Number (Very Important)<br>( ) ( ) ( ) |  |
| From (Your Name) Please Print<br>RICHARD E. FREUDENBERGER |  | Your Phone Number (Very Important)<br>(408) 453-6100                                             |  | Company<br>ALAMEDA COUNTY DEPT. OF Environmental hth     |  |
| Company<br>STRAIT CREEK OFF                               |  | Department/Floor No.                                                                             |  | Department/Floor No.                                     |  |
| Street Address<br>300 ...                                 |  | Exact Street Address (We Cannot Deliver to P.O. Boxes or P.O. Zip Codes)<br>80 Swan Wy, Room 200 |  | State<br>CA                                              |  |
| City<br>Alameda                                           |  | City<br>Oakland, CA                                                                              |  | ZIP Required<br>94611                                    |  |

|                                                                                                                                                                                                                                                         |  |  |  |                                                                                                  |  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|--------------------------------------------------------------------------------------------------|--|
| YOUR INTERNAL BILLING REFERENCE INFORMATION (optional) (First 24 characters will appear on invoice.)<br>CA621-01                                                                                                                                        |  |  |  | IF HOLD FOR PICK-UP, Print FEDEX Address Here<br>Street Address<br>City<br>State<br>ZIP Required |  |
| PAYMENT 1 <input type="checkbox"/> Bill Sender 2 <input type="checkbox"/> Bill Recipient's FedEx Acct No 3 <input type="checkbox"/> Bill 3rd Party FedEx Acct. No. 4 <input type="checkbox"/> Bill Credit Card<br>5 <input type="checkbox"/> Cash/Check |  |  |  |                                                                                                  |  |

|                                                                                                                                                                                                                                                                                                      |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |  |                                                                                                                                                                                                            |  |                                                                                                                                                                                                                                                                                                    |  |                                                                                                                                                                                                 |  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <b>4 SERVICES</b><br>(Check only one box)                                                                                                                                                                                                                                                            |  | <b>5 DELIVERY AND SPECIAL HANDLING</b><br>(Check services required)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  | <b>6 PACKAGES</b><br>WEIGHT in Pounds Only<br>YOUR DECLARED VALUE (See right)                                                                                                                              |  | Emp. No. Date Federal Express Use                                                                                                                                                                                                                                                                  |  |                                                                                                                                                                                                 |  |
| <b>Priority Overnight</b><br>(Delivery by next business morning)<br>11 <input type="checkbox"/> OTHER PACKAGING<br>16 <input checked="" type="checkbox"/> FEDEX LETTER*<br>12 <input type="checkbox"/> FEDEX PAK*<br>13 <input type="checkbox"/> FEDEX BOX<br>14 <input type="checkbox"/> FEDEX TUBE |  | 1 <input type="checkbox"/> HOLD FOR PICK-UP (Fill in Box H)<br>2 <input checked="" type="checkbox"/> DELIVER WEEKDAY<br>3 DELIVER SATURDAY (Extra charge) (Not available to all locations) <input type="checkbox"/><br>4 <input type="checkbox"/> DANGEROUS GOODS (Extra charge)<br>5 <input type="checkbox"/><br>6 <input type="checkbox"/> DRY ICE (Dangerous Goods Shipper's Declaration not required)<br>7 <input type="checkbox"/> OTHER SPECIAL SERVICE<br>8 <input type="checkbox"/><br>9 <input type="checkbox"/> SATURDAY PICK-UP (Extra charge)<br>12 <input type="checkbox"/> HOLIDAY DELIVERY (if offered) (Extra charge) |  | DIM SHIPMENT (Chargeable Weight)<br>L x W x H<br>1 <input type="checkbox"/> Regular Stop 3 <input type="checkbox"/> Drop Box<br>2 <input type="checkbox"/> On-Call Stop 5 <input type="checkbox"/> Station |  | <input type="checkbox"/> Cash Received<br><input type="checkbox"/> Return Shipment<br><input type="checkbox"/> Third Party <input type="checkbox"/> Chg To Del <input type="checkbox"/> Chg To Hold<br>Street Address<br>City State Zip<br>Received By<br>Date/Time Received FedEx Employee Number |  | Base Charges<br>Declared Value Charge<br>Other 1<br>Other 2<br>Total Charges<br>REVISION DATE 11/92<br>PART #137204 FXEM 1/93<br>FORMAT #155<br><b>155</b><br>© 1992 93 FEDEX<br>PRINTED IN USA |  |
| <b>Economy Two-Day</b><br>(Delivery by second business day 1)<br>30 <input type="checkbox"/> ECONOMY*<br>*Economy Letter rate not available<br>Minimum charge<br>One pound economy rate                                                                                                              |  | <b>Government Overnight</b><br>(Restricted for authorized users only)<br>46 <input type="checkbox"/> GOVT LETTER<br>41 <input type="checkbox"/> GOVT PACKAGE                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  | Total Total Total                                                                                                                                                                                          |  | Received At<br>1 <input type="checkbox"/> Regular Stop 3 <input type="checkbox"/> Drop Box<br>2 <input type="checkbox"/> On-Call Stop 5 <input type="checkbox"/> Station                                                                                                                           |  | Release Signature                                                                                                                                                                               |  |
| <b>Freight Service</b><br>(for packages over 150 lbs.)<br>70 <input type="checkbox"/> OVERNIGHT FREIGHT**<br>(Confirmed reservation required)<br>80 <input type="checkbox"/> TWO-DAY FREIGHT**                                                                                                       |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |  |                                                                                                                                                                                                            |  |                                                                                                                                                                                                                                                                                                    |  |                                                                                                                                                                                                 |  |

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

March 24, 1993  
STID# 805

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. Henry Jones  
Manager, Environmental Affairs  
Grow Group, Inc.  
4000 Dupont Circle  
Louisville, Kentucky 40207

**RE: Former Boysen Paint Company  
1001 42nd Street, Oakland, California 94608**

Dear Mr. Jones:

The Alameda County Department of Environmental Health, Hazardous Materials Division has reviewed the following reports submitted by Environmental Strategies Corporation concerning the investigation of unauthorized release associated with underground storage tanks at the referenced site:

- \* Additional Information In Response to ACEHD's September 22, 1992 letter - October 5, 1992
- \* Work Plan for In-Place Closure of Former Boysen Paint Underground Storage Tank - October 22, 1992
- \* Revised Work Plan for Supplemental Soil and Groundwater Investigation - Revised November 10, 1992
- \* Letter from Emeryville Fire Department granting approval of in-place closure

Based on the information provided to this office and the on-site visit conducted on February 16, 1993, the proposal for abandonment in-place of the 5,000 gallon underground storage tank underneath the sidewalk on 41 st Street is acceptable to this department provided the following items are addressed:

- The integrity of the tank must be tested. Result of the precision tank tightness test must be submitted to this office.
- Slant soil borings (B-1, B-2, B-3) must be collected within one foot of the tank.
- A groundwater monitoring well must be installed adjacent to the tank and/or piping in the verified downgradient direction. Groundwater flow direction must be established at the site. It appears that monitoring well MW-1 is cross

Mr. Henry Jones  
RE: 1001 42nd Street, Emeryville, CA 94608  
March 24, 1993  
Page 2 of 4

gradient from the tank and the construction diagram showed that this well was screened from 15 feet to 20 feet below ground surface. Groundwater was first encountered at 12 feet below ground surface (bgs) and stabilized at 7.76 feet bgs. Please explain the rationale if this well is applicable to use as the downgradient well and determine whether the data collected from this well is representative of the groundwater quality at the site since the well was screened below water table.

- 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 tank, the hazardous substances it contained and the closure method.
- Authorization must be secured from the Emeryville Fire Department if any cutting will be performed on the tank at the site and a copy of the permit must be submitted to this office.

The revised work plan for supplemental soil and groundwater investigation (November 10, 1992) is acceptable with the following conditions:

Monitoring wells must be designed and constructed to be consistent with the Regional Water Quality Control Board guidelines. Monitoring wells must be screened to intercept any floating product and any heavier-than-water contaminants (e.g. chlorinated solvents).

All monitoring wells must be sampled quarterly. Water level and floating product thickness measurements shall be part of each sampling event. Groundwater samples are to be analyzed by a California State Certified Laboratory for the following analyses: total petroleum hydrocarbon as gasoline, total petroleum hydrocarbon as diesel, benzene, toluene, ethyl benzene, xylene, and volatile organics (8240 or 8260).

A remediation plan must be developed to clean up and/or contain contaminated groundwater.

A report must be submitted within **60 days** after completion of this investigation. Until cleanup is complete, you will need to submit reports to this office and to RWQCB every three months (or at a more frequent interval, if specified at any time by either agency). In addition, the following items must be incorporated in your future reports or workplans:

Mr. Henry Jones  
RE: 1001 42nd Street, Oakland, CA 94608  
March 24, 1993  
Page 3 of 4

- 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 or the RWQCB of the responsible party or tank's owner 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. Copies of reports must also be submitted to:

Eddy So  
RWQCB, San Francisco Bay Region  
2101 Webster Street, Fourth Floor  
Oakland, California 94612

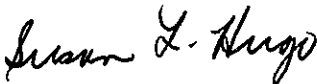
Because we are overseeing this site under the designated authority of the Regional Water Quality Control Board, this letter constitutes a formal requests for technical reports pursuant to California Water Code Section 13267 (b). Any extensions of stated deadlines or changes in the workplan must be confirmed in writing and approved by this agency or RWQCB.

In addition, enclosed is a copy of the approved "Underground Tank Closure Plan".

Mr. Henry Jones  
RE: 1001 42nd Street, Oakland, CA 94608  
March 24, 1993  
Page 4 of 4

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

Sincerely,



Susan L. Hugo  
Senior Hazardous Materials Specialist

Enclosures

cc: Rafat A. Shahid, Asst. Agency Director, Environmental Health  
Eddy So, San Francisco Bay RWQCB  
Gil Jensen, Alameda County District Attorney's Office  
George Warren, Emeryville Fire Department  
Edgar B. Howell, Chief, Hazardous Materials Division - files *SPX*  
Edward Kosel - 5116 Cochrane Avenue, Oakland, CA 94618 *8*  
L. Randolph Harris - McInerney & Dillon, One Kaiser Plaza  
18th Floor, Oakland, CA 94612-3610  
Richard Freudenberger - Environmental Strategies Corporation  
101 Metro Drive, Suite 650  
San Jose, California 95110



SUSAN L. HUGO

ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY  
DEPARTMENT OF ENVIRONMENTAL HEALTH  
HAZARDOUS MATERIALS DIVISION  
80 SWAN WAY, ROOM 200  
OAKLAND, CA 94621  
PHONE NO. 510/271-4320

ACCEPTED

DEPARTMENT OF ENVIRONMENTAL HEALTH  
470 - 27th Street, Third Floor  
Oakland, CA 94612  
Telephone: (415) 874-7237

Plans have been reviewed and found to be acceptable. Plans must be submitted to the Department of Environmental Health for review and approval. Changes to your plans indicated by this permit are to assure compliance with State and local laws. The proposed permit is now released for issuance. The permit is valid for construction.

Approved plans must be on the job and contractors and craftsmen involved must adhere to the specifications of these plans. Notify the Department of Environmental Health of any changes to the plans. The following requirements apply to this permit:  In-Place Closure  Sampling  Final Inspection

Issuance of a permit to operate is dependent on compliance with accepted plans and all applicable laws and regulations. THERE IS A FINANCIAL PENALTY FOR NOT OBTAINING THESE INSPECTIONS.

*Please note change made to page 5.*

*Susan L. Hugo  
3/27/93*

UNDERGROUND TANK CLOSURE PLAN

\* \* \* Complete according to attached instructions \* \* \*

- Business Name Former Boysen Paint Company  
Business Owner Grow Group, Inc.
- Site Address 1001 42nd Street  
City Emeryville Zip \_\_\_\_\_ Phone \_\_\_\_\_
- Mailing Address Pan Am Building, 200 Park Avenue  
City New York, NY Zip 10166 Phone (212) 599-4400
- Land Owner Mr. and Mrs. Edward Kosel  
Address 5116 Cochrane Ave. City, State Oakland, CA Zip 94618
- Generator name under which tank will be manifested Tanks are to be closed in-place. Therefore, the tanks will not be manifested.  
EPA I.D. No. under which tank will be manifested Not applicable.

6. Contractor Pears Equipment and Maintenance Co.

Address 18305 Lake Chabot Rd.

City Castro Valley, CA 94546 Phone (510) 889-7888

License Type\* A C-61 ID# 630936 Exp. - 10/31/93

\*Effective January 1, 1992, Business and Professional Code Section 7058.7 requires prime contractors to also hold Hazardous Waste Certification issued by the State Contractors License Board. Indicate that the certificate has been received, in addition, to holding the appropriate contractors license type.

7. Consultant Environmental Strategies Corporation

Address 101 Metro Drive, Suite 650

City San Jose, CA Phone (408) 453-6100

8. Contact Person for Investigation

Name Thomas Sparrowe Title Registered Geologist ✓

Phone (408) 453-6100

9. Number of tanks being closed under this plan one

Length of piping being removed under this plan 30

Total number of tanks at facility one

10. State Registered Hazardous Waste Transporters/Facilities (see instructions).

\*\* Underground tanks are hazardous waste and must be handled \*\*  
as hazardous waste

a) Product/Residual Sludge/Rinsate Transporter

Name Not applicable. EPA I.D. No. \_\_\_\_\_

Hauler License No. \_\_\_\_\_ License Exp. Date \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

b) Product/Residual Sludge/Rinsate Disposal Site

Name Not applicable. EPA I.D. No. \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

c) Tank and Piping Transporter

Name Not applicable EPA I.D. No. \_\_\_\_\_  
Hauler License No. \_\_\_\_\_ License Exp. Date \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

d) Tank and Piping Disposal Site

Name Not applicable EPA I.D. No. \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

11. Experienced Sample Collector

Name Thomas Sparrowe  
Company Environmental Strategies Corporation  
Address 101 Metro Drive, Suite 650  
City San Jose State CA Zip 95110 Phone (408)453-6100

12. Laboratory

Name Net Pacific, Inc.  
Address - 435 Tesconi Circle  
City Santa Rosa State CA Zip 95401  
State Certification No. 178

13. Have tanks or pipes leaked in the past? Yes [ ] No [ ] Unknown

If yes, describe. Unauthorized release reported in 1988 by OHM Remedial Services Corporation to Alameda County based on site observations.  
Unknown if subject tank is the source.

14. Describe methods to be used for rendering tank inert

The method that will be used for rendering the tank inert is

described in detail in the attached In-Place Closure Plan

Before tanks are pumped out and inerted, all associated piping must be flushed out into the tanks. All accessible associated piping must then be removed. Inaccessible piping must be plugged.

The Bay Area Air Quality Management District (771-6000), along with local Fire and Building Departments, must also be contacted for tank removal permits. Fire departments typically require the use of explosion proof combustible gas meters to verify tank inertness. It is the contractor's responsibility to bring a working combustible gas meter on site to verify tank inertness.

15. Tank History and Sampling Information

| Tank       |                                | Material to be sampled (tank contents, soil, ground-water, etc.) | Location and Depth of Samples                                                                                             |
|------------|--------------------------------|------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------|
| Capacity   | Use History (see instructions) |                                                                  |                                                                                                                           |
| 5,000 gal. | mineral spirits                | tank contents, soil under pipe                                   | If liquid is in the tank a bailer will be lowered to bottom of tank (15 feet) and a sample will be collected for analysis |

One soil sample must be collected for every 20 feet of piping that is removed. A ground water sample must be collected should any ground water be present in the excavation.

| Excavated/Stockpiled Soil          |               |
|------------------------------------|---------------|
| Stockpiled Soil Volume (Estimated) | Sampling Plan |
|                                    |               |

Stockpiled soil must be placed on bermed plastic and must be completely covered by plastic sheeting.

16. Chemical methods and associated detection limits to be used for analyzing samples

The Tri-Regional Board recommended minimum verification analyses and practical quantitation reporting limits should be followed. See attached Table 2.

| Contaminant Sought        | EPA, DHS, or Other Sample Preparation Method Number | EPA, DHS, or Other Analysis Method Number | Method Detection Limit |
|---------------------------|-----------------------------------------------------|-------------------------------------------|------------------------|
| TPH-G as soil             | EPA Method 5030 (purge & trap)                      | EPA Method 5030                           | 1.0 ppm                |
| water                     | EPA Method 5030 (purge & trap)                      | EPA Method 5030                           | 50.0 ppb               |
| TPH-D as soil             | EPA Method 3550 (extraction)                        | EPA Method 3550                           | 1.0 ppm                |
| water                     | EPA Method 3550 (extraction)                        | EPA Method 3550                           | 50.0 ppb               |
| BTEX soil                 | EPA Method 8020 (purge & trap)                      | EPA Method 8020                           | 0.005 ppm              |
| water                     | EPA Method 602, 624, or 8260                        | EPA Method 602, 624, or 8260              | 0.5 ppb                |
| <i>Volatiles Organics</i> | <i>8240 or 8260</i>                                 |                                           |                        |

17. Submit Site Health and Safety Plan (See Instructions)

The site Health and Safety Plan is included in the Supplemental Soil and Groundwater Investigation.

18. Submit Worker's Compensation Certificate copy

Name of Insurer \_\_\_\_\_ to be provided by contractor upon plan approval

19. Submit Plot Plan (See Instructions)

20. Enclose Deposit (See Instructions)

21. Report any leaks or contamination to this office within 5 days of discovery. The report shall be made on an Underground Storage Tank Unauthorized Leak/Contamination Site Report form. (see Instructions)

22. Submit a closure report to this office within 60 days of the tank removal. This report must contain all the information listed in item 22 of the instructions.

I declare that to the best of my knowledge and belief the statements and information provided above are correct and true.

I understand that information in addition to that provided above may be needed in order to obtain an approval from the Department of Environmental Health and that no work is to begin on this project until this plan is approved.

I understand that any changes in design, materials or equipment will void this plan if prior approval is not obtained.

I understand that all work performed during this project will be done in compliance with all applicable OSHA (Occupational Safety and Health Administration) requirements concerning personnel health and safety. I understand that site and worker safety are solely the responsibility of the property owner or his agent and that this responsibility is not shared nor assumed by the County of Alameda.

Once I have received my stamped, accepted closure plan, I will contact the project Hazardous Materials Specialist at least three working days in advance of site work to schedule the required inspections.

Signature of Contractor

Name (please type) Jack Bail

Signature \_\_\_\_\_ to be provided upon plan approval

Date \_\_\_\_\_

Signature of Site Owner or Operator Representative of former operator

Name (please type) Henry W. Jones

Signature Henry W Jones

Date 11/13/92



**ENVIRONMENTAL STRATEGIES CORPORATION**

101 Metro Drive • Suite 650 • San Jose, California 95110 • (408) 453-6100 • FAX (408) 453-0496

November 23, 1992

Ms. Susan Hugo  
Hazardous Materials Specialist  
Alameda County Dept. of Environmental Health  
Hazardous Materials Division  
80 Swan Way, Room 200  
Oakland, CA 94621

Re: Former Boysen Paint Company - Underground Tank, Emeryville, California

Dear Susan:

Enclosed is a copy of a letter from the Emeryville Fire Department granting approval of the in-place abandonment of the referenced underground tank.

Please do not hesitate to call if you have any questions or need additional information.

Sincerely yours,

A handwritten signature in cursive script that reads "Richard E. Freudenberger".

Richard E. Freudenberger  
Senior Vice President

REF:cph

Enclosure

cc: David B. Russell - w/enc.  
Eddy So - w/enc.  
Rafat A. Shahid - w/enc.  
Mark Thomson - w/enc.  
Edgar B. Howell - w/enc.  
Edward Kozel - w/enc.  
L. Randolph Harris - w/enc.



## Emeryville Fire Department

2333 POWELL STREET, EMERYVILLE, CALIFORNIA 94608

RAMON VITTORI, FIRE CHIEF

TELEPHONE: 596-3750

FAX: 420-1755

November 12, 1992

FRANK ALHINO  
FIRE MARSHAL

GERALD ANTHONY  
TRAINING OFFICER

Mr. Tom Sparrow  
Environmental Strategies Corp.  
101 Metro Drive  
Suite 650  
San Jose, CA., 95110

Re: Boysen Paint UG tank.


Mr. Sparrow:

This letter is to confirm our agreement to abandon in place the the underground storage tank at the former Boysen Paint facility on 41st Street, Emeryville.

The tank is to be purged of all contents, and then filled with an appropriate inert material (i.e.- concrete slurry), as well as allsoil sampling and possible soil remediation as per the requirements of the Alameda County Department of Environmental Health. A representative of the Emeryville Fire Department should be on hand during the inerting process to verify compliance with applicable requirements.

If you have any questions regarding this matter, please feel free to let me know. You can reach me at (510) 596-3750 weekdays during normal business hours.

Sincerely,

  
George Warren  
Inspector

GW:ms

file:rust's





QUESTIONS? CALL 800-238-5355 TOLL FREE.

AIRBILL  
PACKAGE  
TRACKING NUMBER

5485283193

5485283193

# RECIPIENT'S COPY

Date: 11/23/92

From (Your Name) Please Print: Rick Freudenberger  
 Your Phone Number (Very Important): (408) 452-0100  
 To (Recipient's Name) Please Print: Susan Hugo  
 Recipient's Phone Number (Very Important):

Company: ENVIRONMENTAL STRATEGICAL CORP. Department/Floor No:  
 Company: Alameda County Dept. of Environmental Health Department/Floor No:

Street Address: ENVIRONMENTAL STRATEGICAL CORP. Street Address (We Cannot Deliver to P.O. Boxes or P.O. Zip Codes.): Alameda County Dept. of Environmental Health

City: SAN JOSE State: CA ZIP Required: 95128  
 City: Oakland, CA State: ZIP Required: 94621

YOUR INTERNAL BILLING REFERENCE INFORMATION (optional) (First 24 characters will appear on invoice.): 21  
 IF HOLD FOR PICK-UP, Print FEDEX Address Here: Street Address

PAYMENT:  Bill Sender  Bill Recipient's FedEx Acct. No.  Bill 3rd Party FedEx Acct. No.  Bill Credit Card  
 Cash/Check

**SERVICES** (Check only one box) **DELIVERY AND SPECIAL HANDLING** (Check services required)

**Priority Overnight** (Delivery by next business morning)  
 11  OTHER PACKAGING  
 16  FEDEX LETTER  
 12  FEDEX PAK  
 13  FEDEX BOX  
 14  FEDEX TUBE

**Standard Overnight** (Delivery by next business afternoon)  
 51  OTHER PACKAGING  
 56  FEDEX LETTER  
 52  FEDEX PAK  
 53  FEDEX BOX  
 54  FEDEX TUBE

**Economy Two-Day** (Delivery by second business day)  
 30  ECONOMY

**Government Overnight** (Restricted for authorized users only)  
 46  80V LETTER  
 41  80V PACKAGE

**Freight Service** (For packages over 150 lbs)  
 70  OVERNIGHT FREIGHT  
 80  TWO-DAY FREIGHT

**HOLD FOR PICK-UP** (Fill in Box H)  
 1  WEEKDAY or SATURDAY  
 2  WEEKDAY or SATURDAY  
 3  SATURDAY (Extra charge) (Not available to all locations)

**DELIVER**  
 4  DANGEROUS GOODS (Extra charge)  
 5  DRY ICE (Dangerous Goods Shipper's Declaration not required)  
 6  OTHER SPECIAL SERVICE  
 7  SATURDAY PICK-UP (Extra charge)  
 9  HOLIDAY DELIVERY (if allowed) (Extra charge)

**PACKAGES** WEIGHT In Pounds Only  
 1 5 0  
 Total 1 Total 5 Total 0

**YOUR DECLARED VALUE** (See page 1)  
 DIM SHIPMENT (Chargeable Weight)  
 lbs

Received: L x W x H  
 Regular Stop  Drop Box  
 On-Call Stop  B SC  Station

Emp. No. Date Federal Express Use  
 Cash Received  
 Return Shipment  
 Third Party  Chg To Del  Chg To Hold  
 Street Address  
 City State Zip  
 Received By: X  
 Date/Time Received FedEx Employee Number

REVISION DATE 6/92  
 PART #137204 FXEM 9/92  
 FORMAT #136

136  
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Release Signature:

## MULTIPLE PACKAGE SERVICE

**IF YOU ARE  
MAKING AN MPS  
SHIPMENT, APPLY  
THE SELF ADHESIVE  
MPS COPY HERE**

## TERMS AND CONDITIONS

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On this Airbill, we, our and us refer to Federal Express Corporation, its employees and agents. You and your refer to the sender, its employees and agents.

### AGREEMENT TO TERMS

By giving us your package to deliver, you agree to all the terms on this Airbill and in our current Service Guide, which is available on request. If there is a conflict between the current Service Guide and this Airbill, the Service Guide will control. No one is authorized to alter or modify the terms of our Agreement.

### RESPONSIBILITY FOR PACKAGING AND COMPLETING AIRBILL

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Our liability for loss or damage to your package is limited to your actual damages or \$100, whichever is less, unless you pay for and declare a higher authorized value. We do not provide cargo liability insurance, but you may pay an additional charge for each additional \$100 of declared value. If you declare a higher value and pay the additional charge, our liability will be the lesser of your declared value or the actual value of your package.

In any event we will not be liable for any damages, whether direct, incidental, special or consequential in excess of the declared value of a shipment, whether or not Federal Express had knowledge that such damages might be incurred including, but not limited to, loss of income or profits.

We won't be liable for your acts or omissions, including but not limited to improper or insufficient packing, securing, marking or addressing, or for the acts or omissions of the recipient or anyone else with an interest in the package. Also, we won't be liable, if you or the recipient violates any of the terms of our agreement. We won't be liable for loss of or damage to shipments of prohibited items.

We won't be liable for loss, damage or delay caused by events we cannot control, including but not limited to acts of God, perils of the air, weather conditions, acts of public enemies, war, strikes, civil commotions, or acts or omissions of public authorities (including customs and quarantine officials) with actual or apparent authority.

### DECLARED VALUE LIMITS

The highest declared value we allow for FedEx Letter and FedEx Pak shipments is \$500. For other shipments the highest declared value we allow is \$25,000 unless your package contains items of "extraordinary value," in which case the highest declared value we allow is \$500. Items of "extraordinary value" include artwork,

jewelry, furs, precious metals, negotiable instruments, and other items listed in our current Service Guide.

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Within 90 days after you notify us of your claim, you must send us all relevant information about it. We are not obligated to act on any claim until you have paid all transportation charges, and you may not deduct the amount of your claim from those charges.

If the recipient accepts your package without noting any damage on the delivery record, we will assume that the package was delivered in good condition. In order for us to process your claim, you must, to the extent possible, make the original shipping cartons and packing available for inspection.

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NO C.O.D. SERVICES ON THIS AIRBILL. If C.O.D. Service is required, please use a Federal Express C.O.D. airbill for this purpose.

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Even if you give us different payment instructions, you will always be primarily responsible for all delivery costs, as well as any cost we may incur in either returning your package to you or warehousing it pending disposition.

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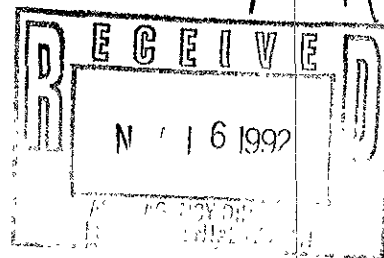
We reserve the right to reject a shipment at any time, when such shipment would be likely to cause damage or delay to other shipments, equipment or personnel, or if the transportation of which is prohibited by law or is in violation of any rules contained in this Airbill or our current Service Guide.

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EBN  
PH Fuller



**GROW GROUP, INC.**

4000 Dupont Circle  
Louisville, Kentucky 40207  
Telephone: (502) 897-9861

November 13, 1992  
HWJ-105-92

Ms. Susan Hugo  
Hazardous Materials Specialist  
Alameda County Department  
of Environmental Health  
Hazardous Materials Division  
80 Swan Way, Room 200  
Oakland, CA. 94621

Re: Former Boysen Paint Company, Emeryville, California

Dear Susan:

In response to your letter of September 22, 1992 to Mr. David Russell of Grow Group, Inc., and as a follow-up to correspondence from our consultant, Environmental Strategies Corporation, dated October 5, 1992 and October 16, 1992, enclosed please find the following items:

- letter from Environmental Strategies Corporation (ESC) with seal of California Registered Geologist and qualifications of key ESC personnel
- In-Place Closure report for the underground tank along with a completed Closure Plan application
- Revised Workplan for Supplemental Soil and Groundwater Investigation

The Emeryville Fire Department has approved the in-place closure of the underground tank; however, the letter documenting their approval was not received in time to be included in this mailing. The Fire Department approval letter will be submitted separately, as soon as it is received.

This submittal, along with ESC's October 5, 1992 letter, responds to all of the issues and comments contained in your September 22, 1992 letter. Grow Group, Inc. confirms the content and accuracy of the enclosed reports and is prepared to implement the proposed schedules contained in the reports.

We look forward to your timely review and approval of the in-place closure and additional investigation at the referenced site.

Regards,

A handwritten signature in cursive script that reads "Henry W. Jones".

Henry W. Jones  
Manager, Environmental Affairs

HJ:ljw

cc: David B. Russell (with reports)  
Grow Group, Inc.  
Pan Am Building  
200 Park Ave.  
New York, NY 10166

Eddy So (with reports)  
RWQCB, San Francisco Region  
2101 Webster Street, Fourth Floor  
Oakland, CA 94612

Rafat A. Shahid (letter only)  
Assistant Agency Director  
Department of Environmental Health  
80 Swan Way, Room 200  
Oakland, CA 94621

Mark Thomson (letter only)  
Alameda County District Attorney's Office  
Consumer and Environmental Protection Division  
7677 Oakport Street, Suite 400  
Oakland, CA 94621

Edgar B. Howell (letter only)  
Chief  
Alameda County Department of Environmental Health  
Hazardous Materials Division  
80 Swan Way, Room 200  
Oakland, CA 94621

Edward Kozel (letter only)  
5116 Cochrane Ave.  
Oakland, CA 94618

L. Randolph Harris (letter only)  
McInerney & Dillon  
One Kaiser Plaza  
18th Floor  
Oakland, CA 94612-3610



## Emeryville Fire Department

2333 POWELL STREET, EMERYVILLE, CALIFORNIA 94608

RAMON VITTORI, FIRE CHIEF

TELEPHONE: 596-3750

FAX: 420-1785

November 12, 1992

FRANK ALHINO  
FIRE MARSHAL

GERALD ANTHONY  
TRAINING OFFICER

Mr. Tom Sparrow  
Environmental Strategies Corp.  
101 Metro Drive  
Suite 650  
San Jose, CA., 95110

Re: Boysen Paint UG tank.

Mr. Sparrow:

This letter is to confirm our agreement to abandon in place the the underground storage tank at the former Boysen Paint facility on 41st Street, Emeryville.

The tank is to be purged of all contents, and then filled with an appropriate inert material (i.e.- concrete slurry), as well as all soil sampling and possible soil remediation as per the requirements of the Alameda County Department of Environmental Health. A representative of the Emeryville Fire Department should be on hand during the inerting process to verify compliance with applicable requirements.

If you have any questions regarding this matter, please feel free to let me know. You can reach me at (510) 596-3750 weekdays during normal business hours.

Sincerely,

  
George Warren  
Inspector

GW:ms

file:ust's



**ENVIRONMENTAL STRATEGIES CORPORATION**

101 Metro Drive • Suite 650 • San Jose, California 95110 • (408) 453-6100 • FAX (408) 453-0496

October 16, 1992

*STID 805 ✓*

Ms. Susan Hugo  
Hazardous Materials Specialist  
Alameda County Department of Environmental Health  
Hazardous Materials Division  
80 Swan Way, Room 200  
Oakland, CA 94621

**Re: Former Boysen Paint Company  
1001 42nd Street, Oakland, CA 94608**

Dear Susan,

As a follow up to your letter of September 22, 1992 and a telephone discussion with our office on October 15, 1992, Environmental Strategies Corporation (ESC) is proceeding to develop an in-place closure plan for an underground tank at the referenced location.

As discussed, before your office can review the closure plan, approval of in-place closure must be obtained from the Emeryville Fire Department.

Due to the necessary review time required for Fire Department approval (estimated at up to two weeks), we will be unable to submit the closure plan to your office by October 22, 1992. Therefore, on behalf of Grow Group, Inc., we are requesting an extension for submittal of the in-place closure plan, documentation of the Fire Department approval, and our revised investigation plan until November 16, 1992.

Please let us know if you have any questions or need further information concerning our request for extension.

Sincerely yours,

*Richard E. Freudenberger*

Richard E. Freudenberger  
Senior Vice President

REF:ljw

cc: Eddy So, San Francisco Bay RWQCB  
David B. Russell, Grow Group, Inc., New York, N.Y.  
Henry Jones, Grow Group, Inc., Louisville, Kentucky  
L. Randolph Harris, McInerney & Dillon  
Edward Kosel, 5116 Cochrane Avenue, Oakland, CA 94618  
Rafat A. Shahid, Assistant Agency Director, Environmental Health  
Mark Thompson, Alameda County District Attorney's Office  
Edgar B. Howell, Chief, Hazardous Materials Division



ENVIRONMENTAL STRATEGIES CORPORATION

101 Metro Drive • Suite 650 • San Jose, California 95110 • (408) 453-6100 • FAX (408) 453-0496

FAX COVER SHEET

TO: Susan Hugo  
Hazardous Materials Division

FAX No.: 510-569-4757

DATE: 10-16-92

TOTAL NO. OF PAGES: 2 Hard Copy to Follow   
(including cover sheet)

FROM: Richard Freudenberger

RE: \_\_\_\_\_

\*\*\*\*\*

Message

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**ENVIRONMENTAL STRATEGIES CORPORATION**

101 Metro Drive • Suite 650 • San Jose, California 95110 • (408) 453-6100 • FAX (408) 453-0496

October 16, 1992

Ms. Susan Hugo  
Hazardous Materials Specialist  
Alameda County Department of Environmental Health  
Hazardous Materials Division  
80 Swan Way, Room 200  
Oakland, CA 94621

Re: Former Boysen Paint Company  
1001 42nd Street, Oakland, CA 94608

Dear Susan,

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Due to the necessary review time required for Fire Department approval (estimated at up to two weeks), we will be unable to submit the closure plan to your office by October 22, 1992. Therefore, on behalf of Grow Group, Inc., we are requesting an extension for submittal of the in-place closure plan, documentation of the Fire Department approval, and our revised investigation plan until November 16, 1992.

Please let us know if you have any questions or need further information concerning our request for extension.

Sincerely yours,

A handwritten signature in cursive script that reads "Richard E. Freudenberger".

Richard E. Freudenberger  
Senior Vice President

REF:ljw

cc: Eddy So, San Francisco Bay RWQCB  
David B. Russell, Grow Group, Inc., New York, N.Y.  
Henry Jones, Grow Group, Inc., Louisville, Kentucky  
L. Randolph Harris, McInerney & Dillon  
Edward Kosel, 5116 Cochrane Avenue, Oakland, CA 94618  
Rafat A. Shahid, Assistant Agency Director, Environmental Health  
Mark Thompson, Alameda County District Attorney's Office  
Edgar B. Howell, Chief, Hazardous Materials Division

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY



DAVID J. KEARS, Agency Director

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

Certified Mail# P 113 815 161

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

September 22, 1992  
STID# 805

Mr. David B. Russell  
Grow Group, Inc.  
Pan Am Building  
200 Park Avenue  
New York, NY 10166

**RE: Former Boysen Paint Company  
1001 42nd Street, Oakland, California 94608**

Dear Mr. Russell:

The Alameda County Department of Environmental Health, Hazardous Materials Division has recently reviewed the files concerning the investigation of unauthorized release associated with underground storage tanks at the referenced site. This office is also in receipt and has completed its review of the "Workplan for Supplemental Soil and Groundwater Investigation" dated July 14, 1992 submitted by Environmental Strategies Corporation for the referenced site.

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

- \* An underground storage tank (approximately 5000 gallon) underneath the sidewalk on 41st Street and was used by Boysen for storing mineral spirits still remains at the site. It appears that this tank has not been used since Grow Group, Inc. was informed by the site owners in August, 1986 about its existence. This tank is subject to permanent closure requirements as stated in Title 23 of the California Code of Regulations Section 2670 (c). This tank in which the storage of hazardous substances have ceased and the tank will not be used, or are not intended for use to store hazardous substances within the next twelve consecutive months must be removed. The tank 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 closure has dragged on since 1988. This department, in a letter dated 9/26/88 approved the proposed workplan submitted by Mr. Henry Jones of Grow Group, Inc. Lester Feldman of the San Francisco Bay Regional Water Quality Control Board recommended immediate implementation of the workplan in his letter to Grow Group, Inc. dated 1/18/90. An unauthorized leak report was filed in 1988 for the referenced site regarding the release associated with the tanks on site. However, clean up and abatement measures have not been performed since then.

Mr. David Russell  
RE: 1001 42nd Street, Emeryville, CA 94608  
September 22, 1992  
Page 2 of 4

You are requested to remove the tank. Enclosed is a copy of the department's underground storage tank removal process and a blank copy of the "Underground Tank Closure Plan" for your reference. If the tank will be permanently closed in place, documents must be submitted to prove that the tank can not be removed due to physical barriers (such as utility lines) and removal will affect the integrity of a building. In addition, the following items must be performed for in-place closure of the tank:

- The liquid contents must be removed and properly disposed. Please provide this office with the name of the contractor and the disposal site. The workplan (7/14/92) submitted by Environmental Strategies Corp. stated that 610 gallons was pumped out from the tank on April 4, 1990. Is the tank currently empty? Please provide us with a copy of the manifest for the disposal of the tank contents.
- All piping associated with the underground storage tank 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 tank 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 tank.
- 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 tank, the hazardous substances it contained and the closure method.
- An unauthorized release occurred at the site. Therefore, you are required to submit a plan of correction including cleanup and abatement measures for approval by this office and RWQCB. Please submit a time schedule for all phases of the investigation and remediation activities and the anticipated time when cleanup will be completed at the referenced site.
- A groundwater 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.

Mr. David Russell  
RE: 1001 42nd Street, Emeryville, CA 94608  
September 22, 1992  
Page 3 of 4

- \* The workplan dated July 14, 1992 submitted by Environmental Strategies Corporation (ESC) for the referenced site proposes to conduct further soil and groundwater investigation to determine whether or not a release occurred. Previous investigations and data collected to date for this site confirmed that a release occurred and was reported in 1988. Further delineation of the existing soil and groundwater conditions in the area must not be a determining factor if the tank will be removed or close in-place. The tank is considered abandoned and must be properly closed in a timely manner. This department will approve closure in-place if it is impossible to remove the tank and the issues for closure in-place mentioned above are met.

As stated in Mr. Eddy So's letter dated October 25, 1991 to Grow Group Inc., the tank must be permanently closed by removal or closure in-place. Any subsequent surface investigation and remediation activities related to soil and groundwater contamination due to underground storage tank will be overseen by this department and case closure will be signed off by the Regional Water Quality Control Board.

- \* The extent of both soil and groundwater contamination at the site must be determined. The following items must be addressed before the workplan (7/14/92) for further delineation of the existing soil and groundwater contamination at the site can be approved:
  - 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.
  - Cover letter from the responsible party must be submitted with all the reports stating the accuracy of the report and projected schedule for the next phase of investigation.
  - Field instruments are for screening tools only and soil samples must be analyzed by a state certified laboratory.
  - Please submit a copy of the specifications for the monitoring wells to be installed at the site.
  - Please submit a site safety plan.
  - The exact location of MW-2 placement must be identified in the site map.
  - Page 7 of the workplan (7/14/92) stated that OHM Remedial Services installed MW-1 on May, 1990. This office has not received any reports concerning the activities performed on May, 1990 at the site. Please submit a copy of the report documenting results of activities performed on May, 1990. Copies of boring logs must be included.

Mr. David Russell  
RE: 1001 42nd Street, Emeryville, CA 94608  
September 22, 1992  
Page 4 of 4

- A report submitted by Oakland National Engraving Company, Inc. showed free product in the two monitoring wells "41st" and "LD4". Please describe the method of cleanup or corrective actions that have been implemented with regards to the free product found at these two wells.

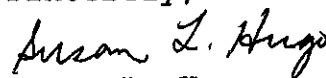
Your response to the issues mentioned in this letter must be submitted to this office no later than **October 22, 1992**.

Copies of reports and proposal must also be submitted to:  
Eddy So  
RWQCB, San Francisco Bay Region  
2101 Webster Street, Fourth Floor  
Oakland, California 94612

Because we are overseeing this site under the designated authority of the Regional Water Quality Control Board, this letter constitutes a formal requests for technical reports pursuant to California Water Code Section 13267 (b). Any extensions of stated deadlines or changes in the workplan must be confirmed in writing and approved by this agency or RWQCB.


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

Sincerely,



Susan L. Hugo  
Senior Hazardous Materials Specialist

Enclosures

cc:  Rafat A. Shahid, Asst. Agency Director, Environmental Health  
Eddy So, San Francisco Bay RWQCB  
Mark Thomson, Alameda County District Attorney's Office  
Edgar B. Howell, Chief, Hazardous Materials Division  
Edward Kosel - 5116 Cochrane Avenue, Oakland, CA 94618  
L. Randolph Harris - McInerney & Dillon, One Kaiser Plaza  
18th Floor, Oakland, CA 94612-3610  
Richard Freudenberger - Environmental Strategies Corporation  
101 Metro Drive, Suite 650  
San Jose, California 95110

Files

Is your RETURN ADDRESS completed on the reverse side?

**SENDER:**

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- 1.  Addressee's Address
- 2.  Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to: (SH) #805

Grow Group, Inc.  
Pan Am Building  
200 Park Avenue  
New York, NY 10166  
Attn: David B. Russell

4a. Article Number  
P 113 815 161

- 4b. Service Type
- Registered  Insured
  - Certified  COD
  - Express Mail  Return Receipt for Merchandise

7. Date of Delivery  
9/28/92

5. Signature (Addressee)  
*D. Baldwin*

8. Addressee's Address (Only if requested and fee is paid)

6. Signature (Agent)

Thank you for using Return Receipt Service.

RP: Edward & Elizabeth Kezel  
5116 Cochrane Ave.  
Oakland, 94618

DATE: 7/15/92  
TO : Local Oversight Program  
FROM: SUSAN  
SUBJ: Transfer of Eligible Oversight Case

Site name: <sup>Oakland</sup> NATIONAL ENGRAVERS  
Address: 1001 42nd Street, City Oakland, Zip 94608  
Closure plan attached? Y  N DepRef remaining \$ \_\_\_\_\_  
DepRef Project # \_\_\_\_\_ STID #(if any) 805  
Number of Tanks: \_\_\_\_\_ removed? Y N Date of removal \_\_\_\_\_  
Leak Report filed? Y N Date of Discovery <sup>reported 4/4/88</sup> <sub>last reviewed 4/25/90</sub>  
Samples received?  Y N Contamination: gasoline, petroleum solvents  
Petroleum  Y N Types: Avgas Jet leaded unleaded Diesel  
fuel oil waste oil kerosene solvents  
Monitoring wells on site yes Monitoring schedule? Y  N  
LUFT category 1 2 3 \* H S C A R W G O  
Briefly describe the following:  
Preliminary Assessment \_\_\_\_\_  
Remedial Action \_\_\_\_\_  
Post Remedial Action Monitoring \_\_\_\_\_  
Enforcement Action \_\_\_\_\_

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



State Water Resources Control Board  
Division of Clean Water Programs  
UST Local Oversight Program

RAFAT A. SHAHID, Assistant Agency Director

certified mailer #P 367 604 684

February 25, 1992  
STID # 3652

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

**Notice of Requirement to Reimburse**

Oakland Unified School District  
ATTN: Mr. Dan Siegel  
1025 Second Ave., Room 406  
Oakland, CA 94606

Responsible Party  
Property Owner  
Contact Person

City of Oakland  
OPW, Real Estate Services  
ATTN: Ms. Julie Carver  
1330 Broadway, Suite 1001  
Oakland, CA 94612

Responsible Party  
Property Owner  
Contact Person

Clawson High School  
3420 Peralta &  
3315 Magnolia Street  
Oakland, CA 94608

SITE

Date First Reported 04/15/91  
Substance: diesel, fuel oil  
Petroleum (X)Yes

The federal Petroleum Leaking Underground Storage Tank Trust Fund (Federal Trust Fund) provides funding to pay the local and state agency administrative and oversight costs associated with the cleanup of releases from underground storage tanks. The legislature has authorized funds to pay the local and state agency administrative and oversight costs associated with the cleanup of releases from underground storage tanks. The direct and indirect costs of overseeing removal or remedial action at the above site are funded, in whole or in part, from the Federal Trust Fund. The above individual(s) or entity(ies) have been identified as the party or parties responsible for investigation and cleanup of the above site. **YOU ARE HEREBY NOTIFIED** that pursuant to Title 42 of the United States Code, Section 6991b(h)(6) and Sections 25297.1 and 25360 of the California Health and Safety Code, the above Responsible Party or Parties must reimburse the State Water Resources Control Board not more than 150 percent of the total amount of site specific oversight costs actually incurred while overseeing the cleanup of the above underground storage tank site, and the above Responsible Party or Parties must make full payment of such costs within 30 days of receipt of a detailed invoice from the State Water Resources Control Board.





## Grow Group, Inc.

Pan Am Building  
200 Park Avenue  
New York, NY 10166  
(212) 599-4400  
TWX: 710-581-3686  
Telecopier: (212) 286-0940

P.O. Box 7600  
4000 Dupont Circle  
Louisville, KY 40207  
(502) 897-9861  
TWX: 810-535-3332  
Telecopier: (502) 897-9861

### Law Department

Please Reply to:  
 New York Office  
 Louisville Office

VIA CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

March 4, 1992

L. Randolph Harris, Esq.  
McInerney & Dillon  
One Kaiser Plaza  
18th Floor  
Oakland, CA 94612-3610

Re: Boysen Paint Company

Dear Mr. Harris:

Reference your letter dated February 6, 1992, copy attached.

Also attached is a copy of my letter to you dated October 18, 1991.

We stand by our consultant's discovery of methylene chloride in 1988 and 1990.

As you have previously been advised, Grow will remove or close in place the underground storage tank. Grow will not remediate contamination which did not result from its operations or from its utilization of the tank.

We are presently working with two consultants in efforts to remove or close the tank. We have expended significant funds in connection with this project in the past, and continue to do so. If you believe it is necessary to "take immediate action to enforce ... rights under the law" that is your option. That would allow us the opportunity to use the discovery process.

92 Mar 5 11:31

L. Randolph Harris, Esq.  
March 4, 1992  
Page 2

We are handling this matter in a responsible manner from an engineering and environmental perspective, which, unfortunately, has taken more time than we all desire.

Very truly yours,

GROW GROUP, INC.



David B. Russell  
Associate General Counsel

DBR:mw  
Atts.

cc: Ms. Susan Hugo  
Alameda County Health Care  
Mr. Lester Feldman  
California Regional Water Quality Control Board

LAW OFFICES  
**McINERNEY & DILLON**  
PROFESSIONAL CORPORATION  
ONE KAISER PLAZA · 18TH FLOOR  
OAKLAND, CALIFORNIA 94612-3610  
TELEPHONE (510) 465-7100  
FAX (510) 465-8556

L. RANDOLPH HARRIS

February 6, 1992

**CERTIFIED MAIL: P-790-382-259**  
**RETURN RECEIPT REQUESTED**

RECEIVED

David B. Russell, Esq.  
Grow Group, Inc.  
Law Department  
Pan Am Building  
200 Park Avenue  
New York, NY 10166

FEB 10 1992

200 PARK AVE., N.Y.  
GROW CORP. SEC

**Re: Remediation of Unauthorized Release**

Dear Mr. Russell:

On September 11, 1991, I wrote to you requesting your immediate attention to the remediation required at the former Boysen/Ameritone site at 41st Street, Oakland, California. In response to my letter, your October 18, 1991 letter stated that you "would very much like to have this project behind [you]." At that time, you provided us with an Anticipated Tank Closure Schedule. This schedule indicated that the following work would be undertaken by this time:

1. Cost proposal (October through November);
2. Review of proposal and order of work (November);
3. Closure plan preparation (November through December);
4. Plan review by Grow (December);
5. Agency review (December through February 3, 1992).

When we received this schedule we could not understand why these steps were necessary since Grow Group had already spent over two years obtaining written approvals of its work plan. Nonetheless, we gave Grow Group the benefit of the doubt and have waited to see proof of Grow Group's commitment to begin remediation of the site. As it turns out, Grow Group has neither submitted a new proposed work plan to the Alameda County Health Care Services, nor has Grow Group commenced remediation at the site.

In the past, Grow Group has explained the delay of its remediation on the site on the basis that it had not caused the unauthorized release. This explanation stemmed from an alleged

finding of methylene chloride in the groundwater samples taken by Grow Group's environmental consultant; Grow Group denied that its predecessor in interest ever used this substance.

Because of these allegations, we have hired an environmental consultant to conduct an independent analysis of the site. We enclose for your review a copy of the groundwater analytical data report which was prepared for the site by Aqua Terra Technologies. You will note that the report concludes that:

Groundwater sample analyses, from samples collected from downgradient monitoring well "41st" and upgradient monitoring well LD4, indicated that methylene chloride was not detected in the vicinity of the UST.

Based on this report, there is no basis for Grow Group to continue disclaiming responsibility for the site or to delay its remediation thereof. No further excuses for Grow Group's inaction will be tolerated. Moreover, we remind you that your delay in remediating the site violates State regulations as explained to you in the January 18, 1990 letter from Lester Feldman of the San Francisco Bay Regional Water Quality Control Board.

We have been cooperative since we first requested removal of the tank in 1986. We provided Grow Group with opportunity after opportunity to make good on its promises to remediate the site. We relied on those promises, to our detriment, and cannot be expected to continue relying on promises by Grow Group any longer. Unless Grow Group submits a written proposal for remediation to the Alameda County Health Care Services by February 17, 1992, we will take immediate action to enforce our rights under the law. We will not accept a letter from you stating that you are considering the matter and will provide us with a response at a later time.

Respectfully,

McInerney & Dillon, P.C.

L. Randolph Harris

jr  
RSM\300L3248

cc: Mr. Edward Kozel, (w/o enc)      Ms. Susan Hugo, (w/o enc)  
Oakland National Engraving      Alameda County Health Care

Mr. Lester Feldman, (w/enc)  
California Regional Water Quality Control Board

Enc.



## Grow Group, Inc.

Pan Am Building  
200 Park Avenue  
New York, NY 10166  
(212) 599-4400

TWX: 710-581-3686

Telecopier: (212) 286-0940

P.O. Box 7600  
4000 Dupont Circle  
Louisville, KY 40207  
(502) 897-9861

TWX: 810-535-3332

Telecopier: (502) 897-9861

### Law Department

Please Reply to:

New York Office

Louisville Office

CERTIFIED MAIL - RETURN RECEIPT REQUESTED  
AND VIA FEDERAL EXPRESS

October 18, 1991

L. Randolph Harris, Esq.  
McInerney & Dillon  
One Kaiser Plaza  
18th Floor  
Oakland, CA 94612-3610

Re: Boysen Paint Company

Dear Mr. Harris:

Reference your letters dated September 11 and September 27, 1991, and my letter dated September 27, 1991, copies enclosed.

I have now gone through our file and have discussed the underground tank situation with the Grow person in charge of the project. He has spoken with our consultants. We are sympathetic to your concern about the length of time that has passed since you brought this tank to our attention in 1986. We would very much like to have this project behind us.

You should know that we have already expended about \$25,000 in connection with this project. We have never done anything to suggest that we did not intend to pursue the project to completion. Please be advised, however, that in terms of the remediation of contamination we will look to the responsible parties to pay for such remediation. We do not know whether this includes your clients, but we reserve our rights should they prove to have a responsibility.

L. Randolph Harris, Esq.  
October 18, 1991  
Page 2

I will not attempt to respond to every mis-statement that you make in your correspondence, nor will I respond to your threats. However,

- (1) I do not understand your comment that you only recently discovered that "Grow Group must also take corrective action to remediate contamination...". The presence of contamination, including methylene chloride, was brought to your attention in my letter to you dated July 7, 1988, copy enclosed.
- (2) With respect to your comments about verbal regulatory approvals, we do not proceed on that basis. It does not seem unreasonable to us to require written authority to proceed with proposals involving the expenditure of thousands of dollars.

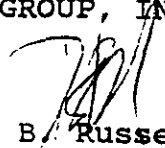
I am attaching in response to your request for a "calendar for all steps necessary to obtain final closure of the tank and remediation of the site" a chart prepared by our consultants.

We can make no guarantees that this "calendar" will in fact occur.

For the benefit of the regulatory agencies which you copied on your correspondence, I am enclosing copies of all the correspondence between us from 1986 to the present.

Very truly yours,

GROW GROUP, INC.

  
David B. Russell  
Associate General Counsel

DBR:mw  
Encls.

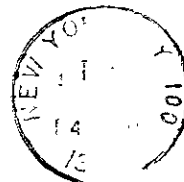
cc: Mr. Rafat Shahid, Alameda County Dept. of  
Environmental Health  
Mr. Lester Feldman, California Regional Water  
Quality Control Board



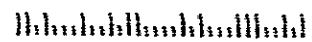
**GROW GROUP, INC.**

Pan Am Building  
200 Park Avenue New York New York 10166

**ADDRESS CORRECTION REQUESTED**



Ms. Susan Hugo  
Alameda County  
Environmental Health Services  
Hazardous Material Management  
80 Fwan Way, Room 200  
Oakland, CA 94621



LAW OFFICES  
**McINERNEY & DILLON**  
PROFESSIONAL CORPORATION  
ONE KAISER PLAZA · 18TH FLOOR  
OAKLAND, CALIFORNIA 94612-3610  
TELEPHONE (510) 465-7100  
FAX (510) 465-8556

L. RANDOLPH HARRIS

February 6, 1992

**CERTIFIED MAIL: P-790-382-259**  
**RETURN RECEIPT REQUESTED**

David B. Russell, Esq.  
Grow Group, Inc.  
Law Department  
Pan Am Building  
200 Park Avenue  
New York, NY 10166

**Re: Remediation of Unauthorized Release**

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92FED10



finding of methylene chloride in the groundwater samples taken by Grow Group's environmental consultant; Grow Group denied that its predecessor in interest ever used this substance.

Because of these allegations, we have hired an environmental consultant to conduct an independent analysis of the site. We enclose for your review a copy of the groundwater analytical data report which was prepared for the site by Aqua Terra Technologies. You will note that the report concludes that:

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Based on this report, there is no basis for Grow Group to continue disclaiming responsibility for the site or to delay its remediation thereof. No further excuses for Grow Group's inaction will be tolerated. Moreover, we remind you that your delay in remediating the site violates State regulations as explained to you in the January 18, 1990 letter from Lester Feldman of the San Francisco Bay Regional Water Quality Control Board.

We have been cooperative since we first requested removal of the tank in 1986. We provided Grow Group with opportunity after opportunity to make good on its promises to remediate the site. We relied on those promises, to our detriment, and cannot be expected to continue relying on promises by Grow Group any longer. Unless Grow Group submits a written proposal for remediation to the Alameda County Health Care Services by February 17, 1992, we will take immediate action to enforce our rights under the law. We will not accept a letter from you stating that you are considering the matter and will provide us with a response at a later time.

Respectfully,

McInerney & Dillon, P.C.

L. Randolph Harris

jr  
RSM\300L3248

cc: Mr. Edward Kozel, (w/o enc)      Ms. Susan Hugo, (w/o enc)  
Oakland National Engraving      Alameda County Health Care

Mr. Lester Feldman, (w/enc)  
California Regional Water Quality Control Board

Enc.

ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY  
DEPARTMENT OF ENVIRONMENTAL HEALTH  
HAZARDOUS MATERIALS DIVISION

80 SWAN WAY, ROOM 200  
OAKLAND, CA 94621  
#415/271-4320

FACILITY QUESTIONNAIRE

GENERAL INFORMATION

1. Establishment Name: OAKLAND NATIONAL ENGRAVING CO. INC  
2. Site Address: 1001 - 42nd St.  
city Oakland zip 94608  
3. Mailing Address (if different): same  
city \_\_\_\_\_ zip \_\_\_\_\_  
4. Contact Person: GARY LEACH Phone: (510) 652-9005  
5. Owner Name: 4 Stockholders - Kozels Owner Phone: 652-9005  
6. Name of Previous Owner: Boysen Paint - (Grow Group)  
7. Date you assumed business: 1981 at this building  
8. Std. Industrial Classification (SIC) 2996 9. Type of Business: PRINTING, PLATE ENGRAVING  
10. Number of Employees: 45 11. EPA ID #: CAD00918550  
(exposed to chemicals)

PERMITS Check if you have permits from any of the following:

Local Agencies

12.  Local Sewer District (industrial waste discharges)  
Name of District EBMUD  
13.  City or Local Fire Dept. (Underground tanks, storage)  
Name of City or Dept. OAKLAND  
Type of Permit \_\_\_\_\_  
14.  Alameda County Dept. of Health (Underground tanks) 1 unit still on site to be removed by former owner  
15.  S.F. Regional Water Quality Management District  
16.  Bay Area Air Quality Management District  
CALIFORNIA Department of Health Services:  
17.  Treatment, Storage, Disposal Facility  
18.  Hazardous Waste Hauler

County Use Only

# \_\_\_\_\_ Site ID  
[ ] 1 Entry [ ] 2



white -env.health  
 yellow -facility  
 pink -files

ALAMEDA COUNTY, DEPARTMENT OF  
 ENVIRONMENTAL HEALTH

80 Swan Way, #200  
 Oakland, CA 94621  
 (415) 271-4320

Hazardous Materials Division Inspection Form

Site ID# \_\_\_\_\_ Site Name OAKLAND NATIONAL ENGRAVING CO. Today's Date 1/8/92  
 Site Address 1001 - 42nd St. EPA ID# CAD009185307  
 City Oakland Zip 94608 Phone 652-9005

MAX Amt. Stored > 500lbs/55g/200cf? Y N  
 Hazardous Waste generated per month? \_\_\_\_\_

Inspection Categories:

- I. Haz. Mat/Waste GENERATOR/TRANSPORTER
- II. Business Plans, Acute Hazardous Materials
- III. Underground Tanks

The marked items represent violations of the Calif. Administration Code (CAC) or the Health & Safety Code (HS&C)

I.A. GENERATOR (Title 22)

- |       |                             |         |
|-------|-----------------------------|---------|
| ___   | 1. Waste ID                 | * 66471 |
| ___   | 2. EPA ID                   | 66472   |
| ___   | 3. > 90 days                | 66508   |
| ___   | 4. Label dates              | 66508   |
| ___   | 5. Biennial                 | 66493   |
| <hr/> |                             |         |
| ___   | 6. Records                  | 66492   |
| ___   | 7. Correct                  | 66484   |
| ___   | 8. Copy sent                | 66492   |
| ___   | 9. Exception                | 66484   |
| ___   | 10. Copies Rec'd            | 66492   |
| <hr/> |                             |         |
| ___   | 11. Treatment               | 66371   |
| ___   | 12. On-site Disp. (H.S.&C.) | 26189.5 |
| ___   | 13. Ex Haz. Waste           | 66570   |
| <hr/> |                             |         |
| ___   | 14. Communications          | 67121   |
| ___   | 15. Able Space              | 67124   |
| ___   | 16. Local Authority         | 67126   |
| ___   | 17. Maintenance             | 67120   |
| ___   | 18. Training                | 67105   |
| <hr/> |                             |         |
| ___   | 19. Prepared                | 67140   |
| ___   | 20. Name List               | 67141   |
| ___   | 21. Copies                  | 67141   |
| ___   | 22. Emg. Coord. Trng.       | 67144   |
| <hr/> |                             |         |
| ___   | 23. Condition               | 67241   |
| ___   | 24. Compatibility           | 67242   |
| ___   | 25. Maintenance             | 67243   |
| ___   | 26. Inspection              | 67244   |
| ___   | 27. Buffer Zone             | 67246   |
| ___   | 28. Tank Inspection         | 67259   |
| ___   | 29. Containment             | 67245   |
| ___   | 30. Safe Storage            | 67261   |
| ___   | 31. Freeboard               | 67257   |

Comments:

*Business - pre-pressed graphic arts*

*Facility has 1 - 10,000 UGT to be properly removed by former owner (Krew & Droup). 1 - 10,000 gal tank removed 1987.*

*The following waste streams are generated:*

- 1) waste perc*
- 2) waste nitric acid*
- 3) waste ferric chloride*
- 4) waste photo fixer/developer*

*Waste nitric acid is being treated on site by neutralizing with NaOH.*

*Some ~~large~~ hazardous storage drums are secondarily contained?*

*A silver recovery unit at site permitted by CBMUD.*

*Waste <sup>dry</sup> powder (from neutralization of nitric acid) are disposed into dumpster with Oakland scavenger's approval.*

*KAGS provided by L&N uniform MSDS available on site.*

*Records of hazardous waste disposal up to date.*

I.B. TRANSPORTER (Title 22)

- |       |                           |       |
|-------|---------------------------|-------|
| ___   | 32. Applic./Insurance     | 66428 |
| ___   | 33. Comp. Cert./CHP Insp. | 66448 |
| ___   | 34. Containers            | 66465 |
| <hr/> |                           |       |
| ___   | 35. Vehicles              | 66465 |
| ___   | 36. EPA ID #s             | 66531 |
| ___   | 37. Correct               | 66541 |
| ___   | 38. HW Delivery           | 66543 |
| ___   | 39. Records               | 66544 |
| <hr/> |                           |       |
| ___   | 40. Name/ Covers          | 66545 |
| ___   | 41. Recyclables           | 66800 |

Rev 6/88

Contact: Dary Leach  
 Title: \_\_\_\_\_  
 Signature: \_\_\_\_\_

Inspector: \_\_\_\_\_  
 Signature: Swan L. Hug

ALAMEDA COUNTY, DEPARTMENT OF  
ENVIRONMENTAL HEALTH  
Hazardous Materials Inspection Form

white -env.health  
yellow -facility  
pink -files

Site ID # \_\_\_\_\_ Site Name Oakland National Engraving, Inc. Today's Date 1/8/92

Site Address 1701 - 42nd St.

City Oakland Zip 94608 Phone \_\_\_\_\_

MAX AMT stored > 500 lbs, 55 gal., 200 cft.?

- Inspection Categories:**
- I. Haz. Mat/Waste GENERATOR/TRANSPORTER
  - II. Business Plans, Acute Hazardous Materials
  - III. Underground Tanks

\* Calif. Administration Code (CAC) or the Health & Safety Code (HS&C)

Comments: page 2

Needs:

- 1) Highly advisable to secondarily contain all hazardous materials & wastes storage.
- 2) Check with CAR-EPA if permit is required to treat waste on site (permit by rule)
- 3) Hazardous waste accumulated in 2-5 gallons plastic container must be disposed of at least once a year.
- 4) HMMP update to be submitted by March 1, 1992

**II.A BUSINESS PLANS (Title 19)**

- \_\_\_ 1. Immediate Reporting 2703
- \_\_\_ 2. Bus. Plan Stds. 25503(b)
- \_\_\_ 3. RR Cars > 30 days 25503.7
- \_\_\_ 4. Inventory Information 25504(a)
- \_\_\_ 5. Inventory Complete 2730
- \_\_\_ 6. Emergency Response 25504(b)
- \_\_\_ 7. Training 25504(c)
- \_\_\_ 8. Deficiency 25505(a)
- \_\_\_ 9. Modification 25505(b)

**II.B ACUTELY HAZ. MAT'LS**

- \_\_\_ 10. Registration Form Filed 25533(d)
- \_\_\_ 11. Form Complete 25533(b)
- \_\_\_ 12. RMPP Contents 25534(c)
- \_\_\_ 13. Implement Sch. Req'd? (Y/N) \_\_\_\_\_
- \_\_\_ 14. OffSite Conseq. Assess. 25524(c)
- \_\_\_ 15. Probable Risk Assessment 25534(d)
- \_\_\_ 16. Persons Responsible 25534(g)
- \_\_\_ 17. Certification 25534(f)
- \_\_\_ 18. Exemption Request? (Y/N) 25536(b)
- \_\_\_ 19. Trade Secret Requested? 25538

**III. UNDERGROUND TANKS (Title 23)**

- |                               |                                                                                         |
|-------------------------------|-----------------------------------------------------------------------------------------|
| General                       | ___ 1. Permit Application 25284 (H&S)                                                   |
|                               | ___ 2. Pipeline Leak Detection 25292 (H&S)                                              |
|                               | ___ 3. Records Maintenance 2712                                                         |
|                               | ___ 4. Release Report 2651                                                              |
|                               | ___ 5. Closure Plans 2670                                                               |
| Monitoring for Existing Tanks | ___ 6. Method                                                                           |
|                               | 1) Monthly Test                                                                         |
|                               | 2) Daily Vadose<br>Semi-annual groundwater<br>One time soils                            |
|                               | 3) Daily Vadose<br>One time soils<br>Annual tank test                                   |
|                               | 4) Monthly Groundwater<br>One time soils                                                |
|                               | 5) Daily Inventory<br>Annual tank testing<br>Cont pipe leak det<br>Vadose/gndwater mon. |
|                               | 6) Daily Inventory<br>Annual tank testing<br>Cont pipe leak det                         |
|                               | 7) Weekly Tank Gauge<br>Annual tank testing                                             |
|                               | 8) Annual Tank Testing<br>Daily Inventory                                               |
|                               | 9) Other _____                                                                          |
| New Tanks                     | ___ 7. Precls Tank Test 2643                                                            |
|                               | Date: _____                                                                             |
|                               | ___ 8. Inventory Rec. 2644                                                              |
|                               | ___ 9. Sol Testing 2646                                                                 |
|                               | ___ 10. Ground Water. 2647                                                              |
|                               | ___ 11. Monitor Plan 2632                                                               |
|                               | ___ 12. Access. Secure 2634                                                             |
|                               | ___ 13. Plans Submit 2711                                                               |
|                               | Date: _____                                                                             |
|                               | ___ 14. As Built 2635                                                                   |
| Date: _____                   |                                                                                         |

Contact: Pam Leach  
Title: VP, CFO  
Signature: Pam Leach

Inspector: Susan L. Hong  
Signature: \_\_\_\_\_

12/31/91  
file : \hazwaste\manlog91

ONE Hazardous Waste Manifest Log  
1991

FINAL !!!!

| Pickup Date | Manifest # | Waste                   | Transporter/<br>Facility                                               | #  | Drum<br>Size<br>gal. | Total<br>gal. | Total<br>Tons | Method<br>Disposal |
|-------------|------------|-------------------------|------------------------------------------------------------------------|----|----------------------|---------------|---------------|--------------------|
| 01/29/91    | 90469623   | Spent Perch/Butanol Mix | Piquet Chemical<br>(East Bay Oil)<br>Romic Chemical, CA                | 6  | 55                   | 330           | 1.733         | Recycled           |
| 02/14/91    | 91014453   | Waste Ferric Chloride   | Great Western Chemical<br>SoCal Chemical, CA                           | 15 | 55                   | 825           | 4.331         | Recycled           |
| 03/29/91    | 88230221   | 1,1,1-Trichloroethane   | Van Waters & Rogers<br>Oil & Solvent Process<br>Total tons 1st quarter | 1  | 55                   | 55            | 0.289         | Recycled           |
|             |            |                         |                                                                        |    |                      |               | 6.3525        |                    |
| 04/18/91    | 90469672   | Spent Perch/Butanol Mix | East Bay Oil Co.<br>Romic Chemical, CA                                 | 13 | 55                   | 715           | 3.754         | Recycled           |
| 06/12/91    | 91014454   | Waste Ferric Chloride   | Great Western Chemical<br>SoCal Chemical, CA                           | 0  | 55                   | 0             | 0.000         | n/a                |
|             |            |                         |                                                                        |    |                      |               |               |                    |
| 06/14/91    | 90304058   | 1,1,1-Trichloroethane   | Van Waters & Rogers<br>Oil & Solvent Process<br>Total tons 2nd quarter | 1  | 55                   | 55            | 0.289         | Recycled           |
|             |            |                         |                                                                        |    |                      |               | 4.0425        |                    |
| 07/18/91    | 91014456   | Waste Ferric Chloride   | Great Western Chemical<br>SoCal Chemical, CA                           | 23 | 55                   | 1,265         | 6.641         | Recycled           |
| 08/15/91    | 90469730   | Spent Perch/Butanol Mix | East Bay Oil Co.<br>Romic Chemical, CA                                 | 13 | 55                   | 715           | 3.754         | Recycled           |
| 09/27/91    | 91014457   | Waste Ferric Chloride   | Great Western Chemical<br>SoCal Chemical, CA<br>Total tons 3rd quarter | 18 | 55                   | 990           | 5.198         | Recycled           |
|             |            |                         |                                                                        |    |                      |               | 15.5925       |                    |
| 10/17/91    | 90469759   | Spent Perch/Butanol Mix | East Bay Oil Co.<br>Romic Chemical, CA                                 | 12 | 55                   | 660           | 3.465         | Recycled           |
| 12/13/91    | 91014459   | Waste Ferric Chloride   | Great Western Chemical<br>SoCal Chemical, CA<br>Total tons 4th quarter | 13 | 55                   | 715           | 3.754         | Recycled           |
|             |            |                         |                                                                        |    |                      |               | 7.21875       |                    |
|             |            |                         |                                                                        |    |                      |               | 33.206        |                    |

Note : \* Manifest #91014454 was cancelled and replaced by Manifest #91014456  
Manifest #91014458 was voided.

ENVIRONMENTAL PERMITS

March 1991

U.S. E.P.A. Identification Number

# CAD009185307

EPA Region IX

Hazardous Waste Management Division

75 Hawthorne

San Francisco, CA 94105

phone 744-1730

California State Generator's Identification Number

# HA HQ 36-009151

Department of Health Services

Toxic Substances Control Division

700 Heinz Ave

Berkeley, CA 94710

phone 540-2122

Alameda County

Account # L81153 and H81107

County of Alameda

Health Care Services Agency

P.O. Box 28924

Oakland, CA 94604

phone 271-4374

Solid Waste Disposal

Account # 30176

Oakland Scavenger Company

Central Division

22770 Main Street

Hayward, CA 94541

contact : Lynn Callahan

phone 537-5500

Wastewater Discharge Permit

Account #053-90131

East Bay Municipal Utility District

P.O. Box 24055

Oakland, CA 94623

contact : Thomas C. Paulson

phone 465-3700



GARY D. LEACH  
VICE PRESIDENT, CHIEF FINANCIAL OFFICER

COLOR SPECIALISTS IN LITHOGRAPHY AND FLEXOGRAPHY  
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ORDWAY BUILDING  
18TH FLOOR  
ONE KAISER PLAZA  
OAKLAND, CALIFORNIA 94612-5610



## CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

SAN FRANCISCO BAY REGION

2101 WEBSTER STREET, SUITE 500

OAKLAND, CA 94612

(415) 464-1255

510



91 OCT 28 PM 2:47

October 25, 1991  
UST (ES)

Mr. David B. Russell  
Grow group Inc.  
Pan Am building  
200 Park Avenue  
New York, NY 10166

Subject: 1001 42nd Street, Oakland Street, California  
(as known as Boysen Paint Company)

Dear Mr. Russell:

I refer to your letter copy dated October 18, 1991 addressed to Mr. L. Randolph Harris, Esq of McNerney & Dillon regarding the above site. This letter copy together with all enclosed correspondence were received by this office on October 21, 1991.

To facilitate your consultant to proceed the closure/removal of the questioned tank on/from the above referenced site, I am enclosing a copy of the following regulatory provisions for your information:

Sections 2670, 2671 and 2672 of Article 7, Subchapter 16 of Chapter 3, Title 23, California Administrative Code.

Upon review of our file, it appears to me that any underground storage tanks have not been used for two years should be permanently closed. Owners of underground storage tanks may select to close their tanks in place or by removal from the site. In either way, the applicable provisions of Chapter 6.5 of Division 20 of the California Health and Safety Code must be complied with. In addition, the above referenced section 2672 (d) states that "the owner of an underground storage tank.....shall demonstrate to the satisfaction of the local agency that no unauthorized release has occurred.....". In this case, the Alameda County Department of Environmental Health is the local agency to oversee both the underground tank removal and closure activities in the above site area. Any subsequent subsurface investigation and remediation activities related to soil and groundwater contamination due to underground storage tank will be overseen by the County Environmental Health staff. Case closure will be signed off by the Regional Water Quality Control Board.

Mr. David B. Russell  
Boysen Paint Company  
October 25, 1991  
Page 2 of 2

Provided your work plan for the tank removal or closure in place is acceptable and approval by the in-charge Hazardous Material Specialist of the County Environmental Health, (in this case it is Miss Susan Hugo), I have no objection to the closure of the tank in question. However, the disposal of the tank and its content must be done properly and in accordance with all the local regulatory requirements. I am sure that Miss Hugo will advise you the proper procedures for the tank closure.

I hope this letter will clarify your point regarding to the requirement of approval from the Board staff. Considering that the issue of tank closure has dragged on for over five years, I am eager to see some progress can be made shortly by you to determine if there is any groundwater impact due to the tank on site. Should you have further queries, please feel free to contact me at 510- 464-4366.

Truly yours,

A handwritten signature in black ink, appearing to read "Eddy So", written over a horizontal line. The signature is somewhat stylized and includes a small flourish at the end.

Eddy So  
Water Resource Control Engineer

encl.

cc: L. Randolph Harris, McInerney & Dillon (w encl.)  
Susan Hugo, ACHD (w/o encl.)



## Grow Group, Inc.

Pan Am Building  
200 Park Avenue  
New York, NY 10166  
(212) 599-4400

TWX: 710-581-3686  
Telecopier: (212) 286-0940

P.O. Box 7600  
4000 Dupont Circle  
Louisville, KY 40207  
(502) 897-9861

TWX: 810-535-3332  
Telecopier: (502) 897-9861

### Law Department

Please Reply to:  
 New York Office  
 Louisville Office

CERTIFIED MAIL - RETURN RECEIPT REQUESTED  
AND VIA FEDERAL EXPRESS

October 18, 1991

L. Randolph Harris, Esq.  
McInerney & Dillon  
One Kaiser Plaza  
18th Floor  
Oakland, CA 94612-3610

Re: Boysen Paint Company

Dear Mr. Harris:

Reference your letters dated September 11 and September 27, 1991, and my letter dated September 27, 1991, copies enclosed.

I have now gone through our file and have discussed the underground tank situation with the Grow person in charge of the project. He has spoken with our consultants. We are sympathetic to your concern about the length of time that has passed since you brought this tank to our attention in 1986. We would very much like to have this project behind us.

You should know that we have already expended about \$25,000 in connection with this project. We have never done anything to suggest that we did not intend to pursue the project to completion. Please be advised, however, that in terms of the remediation of contamination we will look to the responsible parties to pay for such remediation. We do not know whether this includes your clients, but we reserve our rights should they prove to have a responsibility.

L. Randolph Harris, Esq.  
October 18, 1991  
Page 2

I will not attempt to respond to every mis-statement that you make in your correspondence, nor will I respond to your threats. However,

- (1) I do not understand your comment that you only recently discovered that "Grow Group must also take corrective action to remediate contamination...". The presence of contamination, including methylene chloride, was brought to your attention in my letter to you dated July 7, 1988, copy enclosed.
- (2) With respect to your comments about verbal regulatory approvals, we do not proceed on that basis. It does not seem unreasonable to us to require written authority to proceed with proposals involving the expenditure of thousands of dollars.

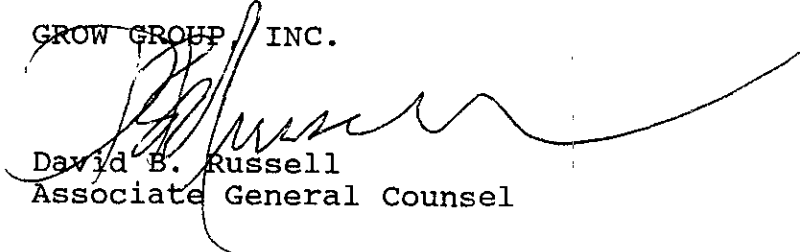
I am attaching in response to your request for a "calendar for all steps necessary to obtain final closure of the tank and remediation of the site" a chart prepared by our consultants.

We can make no guarantees that this "calendar" will in fact occur.

For the benefit of the regulatory agencies which you copied on your correspondence, I am enclosing copies of all the correspondence between us from 1986 to the present.

Very truly yours,

GROW GROUP INC.

  
David B. Russell  
Associate General Counsel

DBR:mw  
Encls.

cc: Mr. Rafat Shahid, Alameda County Dept. of  
Environmental Health  
Mr. Lester Feldman, California Regional Water  
Quality Control Board

FEDERAL EXPRESS

QUESTIONS? CALL 800 TOLL FREE

AIRBILL TRACKING

0510505203

2103N

0510505203

RECIPIENT'S COPY

Date

10/18/91

From (Your Name) Please Print

David Russell

Your Phone Number (Very Important)

(415) 599-4402

To (Recipient's Name) Please Print

Mr. Rafat Shahid

Recipient's Phone Number (Very Important)

Company

THE GROU GROUP INC

Department/Floor No

Company

Department/Floor No

Street Address

200 PARK AVE 49TH FLOOR

Exact Street Address (We Cannot Deliver to P.O. Boxes or P.O. Zip Codes)

Alameda Cty. Dept. of Environment Health  
470 27th Street, 3rd floor

City

NEW YORK

State

NY

ZIP Required

10106

City

Oakland CA

State

ZIP Required

94612

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Signature, Date/Time

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## TERMS AND CONDITIONS

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We'll consider your claim filed if you call and notify our Customer Service Department at 800-238-5365 and notify us in writing as soon as possible.

Within 90 days after you notify us of your claim, you must send us all relevant information about it. We are not obligated to act on any claim until you have paid all transportation charges, and you may not deduct the amount of your claim from those charges.

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# Anticipated Tank Closure Schedule, Former Boysen Paint Facility

| Task                                                                              | O | Nov. |    |    |    | Dec. |   |    |    |    | Jan. |    |    |    | Feb. |    |    |    | Mar. |    |    |    | Apr. |    |    |    | May |    |    |    | Jun. |    |   |    | Jul. |    |    |    |    |    |    |  |
|-----------------------------------------------------------------------------------|---|------|----|----|----|------|---|----|----|----|------|----|----|----|------|----|----|----|------|----|----|----|------|----|----|----|-----|----|----|----|------|----|---|----|------|----|----|----|----|----|----|--|
|                                                                                   | c | 4    | 11 | 18 | 25 | 2    | 9 | 16 | 23 | 30 | 6    | 13 | 20 | 27 | 3    | 10 | 17 | 24 | 31   | 7  | 14 | 21 | 28   | 5  | 12 | 19 | 26  | 4  | 11 | 18 | 25   | 1  | 8 | 15 | 22   | 29 | 6  | 13 | 20 | 27 |    |  |
|                                                                                   | t | 28   | 4  | 11 | 18 | 25   | 2 | 9  | 16 | 23 | 30   | 6  | 13 | 20 | 27   | 3  | 10 | 17 | 24   | 31 | 7  | 14 | 21   | 28 | 5  | 12 | 19  | 26 | 4  | 11 | 18   | 25 | 1 | 8  | 15   | 22 | 29 | 6  | 13 | 20 | 27 |  |
| Cost Proposal                                                                     |   |      |    |    |    |      |   |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |     |    |    |    |      |    |   |    |      |    |    |    |    |    |    |  |
| Review Proposal & Order Work                                                      |   |      |    |    |    |      |   |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |     |    |    |    |      |    |   |    |      |    |    |    |    |    |    |  |
| Closure Plan Prep.                                                                |   |      |    |    |    |      |   |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |     |    |    |    |      |    |   |    |      |    |    |    |    |    |    |  |
| Plan Review by Grow                                                               |   |      |    |    |    |      |   |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |     |    |    |    |      |    |   |    |      |    |    |    |    |    |    |  |
| Agency Review*                                                                    |   |      |    |    |    |      |   |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |     |    |    |    |      |    |   |    |      |    |    |    |    |    |    |  |
| Revisions/Negotiations                                                            |   |      |    |    |    |      |   |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |     |    |    |    |      |    |   |    |      |    |    |    |    |    |    |  |
| Permitting*                                                                       |   |      |    |    |    |      |   |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |     |    |    |    |      |    |   |    |      |    |    |    |    |    |    |  |
| Site Preparation                                                                  |   |      |    |    |    |      |   |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |     |    |    |    |      |    |   |    |      |    |    |    |    |    |    |  |
| Tank Closure                                                                      |   |      |    |    |    |      |   |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |     |    |    |    |      |    |   |    |      |    |    |    |    |    |    |  |
| Soil/Groundwater Investigation*                                                   |   |      |    |    |    |      |   |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |     |    |    |    |      |    |   |    |      |    |    |    |    |    |    |  |
| Closure Report Preparation and/or Recommendations for Potential Site Remediation* |   |      |    |    |    |      |   |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |     |    |    |    |      |    |   |    |      |    |    |    |    |    |    |  |
| Agency Review*                                                                    |   |      |    |    |    |      |   |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |     |    |    |    |      |    |   |    |      |    |    |    |    |    |    |  |
| Possible Soil and/or Groundwater Remediation*                                     |   |      |    |    |    |      |   |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |     |    |    |    |      |    |   |    |      |    |    |    |    |    |    |  |

\*Actual schedule may be affected by delays in agency review of documents, utility company requirements for the protection of utility lines and structures, and uncertainties regarding the need for soil/groundwater remediation.

LAW OFFICES

**McINERNEY & DILLON**

PROFESSIONAL CORPORATION  
ONE KAISER PLAZA · 18TH FLOOR  
OAKLAND, CALIFORNIA 94612-3610  
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JEWELL J. HARGLE ROAD  
SHARON M. ANTHONY  
QUINLAN S. TOM

RETIRE  
HARRISON M. DILLON

RECEIVED  
SEP 27 1991

September 27, 1991

**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

David B. Russell, Esq.  
Grow Group, Inc.  
Law Department  
Pan Am Building  
200 Park Avenue  
New York, NY 10166

**Re: Remediation of Unauthorized Release**

Dear Mr. Russell:

On September 11, 1991, I wrote to you to stress the need for immediate remediation of the former Boysen/Ameritone site at 41st Street in Oakland, California. <sup>94608</sup> I requested that you submit a calendar for all steps necessary to obtain final closure of the tank and remediation of the site by September 26, 1991.

To date, I have not received your response. I hope that your delay is caused by the need for additional time to prepare a calendar for your work. Please advise me immediately as to when the requested calendar will be provided.

Very truly yours,

L. Randolph Harris

*or Robin Myren*

jr  
Attys\300L3248

cc: Mr. Edward Kozel, Oakland National Engraving  
Mr. Gary Leach, Oakland National Engraving  
✓ Mr. Rafat Shahid, Alameda County Dept. of  
Environmental Health  
Mr. Lester Feldman, California Regional Water  
Quality Control Board



LAW OFFICES  
**McINERNEY & DILLON**  
PROFESSIONAL CORPORATION  
ONE KAISER PLAZA - 18TH FLOOR  
OAKLAND, CALIFORNIA 94612-3610  
TELEPHONE (415) 465-7100

FAX (415) 465-8556  
RETIRED  
HARADON M. DILLON

WILLIAM H. McINERNEY  
TIMOTHY F. WINCHESTER  
ROBERT L. LESLIE  
RICHARD F. RENTON  
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September 27, 1991

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Law Department  
Pan Am Building  
200 Park Avenue  
New York, NY 10166

RECEIVED  
SEP 30 1991  
200 PARK AVE., N.Y.  
GROW CORP. SEC.

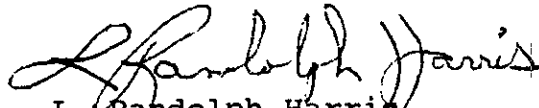
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cc: Mr. Edward Kozel, Oakland National Engraving  
Mr. Gary Leach, Oakland National Engraving  
Mr. Rafat Shahid, Alameda County Dept. of  
Environmental Health  
Mr. Lester Feldman, California Regional Water  
Quality Control Board



# Grow Group, Inc.

Pan Am Building  
200 Park Avenue  
New York, NY 10166  
(212) 599-4400  
TWX: 710-581-3686  
Telecopier: (212) 286-0940

P.O. Box 7600  
4000 Dupont Circle  
Louisville, KY 40207  
(502) 897-9861  
TWX: 810-535-3332  
Telecopier: (502) 897-9861

## Law Department

Please Reply to:  
 New York Office  
 Louisville Office

CERTIFIED MAIL- RETURN RECEIPT REQUESTED  
AND VIA FEDERAL EXPRESS

September 27, 1991

L. Randolph Harris, Esq.  
McInerney & Dillon  
One Kaiser Plaza  
18th Floor  
Oakland, CA 94612-3610

Re: Boysen Paint Company

Dear Mr. McInerney:

I am in receipt of your September 11, 1991 letter.

Due to travel and other commitments I have not yet had an opportunity to review the file and to discuss this matter in detail with our environmental people. However, you are clearly in error when you state that Grow promised to remediate contamination from the underground tank.

I do not believe that it is yet clear whether the contamination originated with the tank or elsewhere. It is clear, however, that at least a portion of the contamination originated from operations other than those of Grow and its predecessors due to the presence of methylene chloride.

If your client was unaware of the existence of this tank, never utilized the tank, and did not contribute to the contamination I do not understand the level of concern which you apparently have.

I will be in further contact with you once I have had an opportunity to review this matter.

Very truly yours,

GROW GROUP, INC.

David B. Russell  
Associate General Counsel

September 19, 1991  
Susan L. Hugo

1001 42nd STREET, EMERYVILLE 94608

**Current Owner:** OAKLAND NATIONAL ENGRAVING, INC. (ONE)  
Edward and Elizabeth Kosel

**Former Owner:** Grow Group - aka Boysen Paint Co.  
Mr. Henry Jones

**Review of Department's File:** Summary in Chronological Order

- 7-7-86 Facility Questionnaire identified to have 2 - 10,000 gallons underground storage tanks, empty the past 5 years.
- 5-28-87 Letter from Haz Mat (by EH) to Oakland National Engraving regarding laboratory results of water samples and the cleaning and hauling off-site of the tank.
- 6-18-87 Two soil samples taken at 2 feet below bottom of tank area witnessed by EH of Haz Mat.
- 6-25-87 Soil samples taken.
- 8-10-87 Letter from Haz Mat (by EH) to Oakland National Engraving regarding soil and water samples taken on 6-25-87 during tank removal. Requested ONE to install monitoring well.
- 9-4-87 Haz Mat (EH) witnessed installation of well for solvent tank. Floating product on water observed.
- 9-10-87 Haz Mat (EH) witnessed filling of tank excavation.
- 9-21-87 Letter from Haz Mat (EH) to ONE regarding completion of tank removal and installation of a well, sample every three months, send copies of report to Haz Mat and RWQCB.
- 9-11-87 Letter from OHM (consultant) to Haz Mat (Liz Rose) proposing **in-place closure** of the underground tank located at 41st and Adeline (former Grow Group facility).
- 9-23-87 OHM sent \$300 to Haz Mat for review of proposal to close the tank in place.
- 9-24-87 Letter from OHM (consultant) to Emeryville Fire Marshall proposing **in-place closure** of the underground tank located at 41 st and Adeline ( former Grow Group Facility).

File  
EH

- 12-15-87 Letter from Haz Mat (Liz Rose) to OHM regarding closure of the tank in-place. If significant contamination is discovered, plan of correction will be required.
- 12-21-87 Letter from OHM to Haz Mat (Liz Rose) addressing issues raised in Liz Rose's letter of 12-15-87.
- 12-24-87 Letter from Haz Mat (Liz Rose) approving UGT closure plan. Requested 48 hours advance notification for soil/groundwater sampling.
- 3-26-88 Unauthorized Leak Report (ULR) filed by OHM, identified Grow Group Inc., as responsible party. Found methylene chloride and light petroleum hydrocarbon contaminations.
- 3-29-88 Report by OHM submitted to Grow Group, subject - Field Investigation of an UGT at Former Grow Group Facility. Results of the groundwater and tank contents sampling before closing the tank in-place. Installed a monitoring well downgradient to the tank.
- 5-20-88 Letter from Haz Mat (Liz Rose) to Grow Group (Henry Jones) re: Unauthorized release from the UGT. Requested to submit full written report.
- 6-24-88 Letter from Henry Jones (Grow Group) to Haz Mat (Rafat Shahid) - a source other than the tank at former Grow Group facility may be responsible for all or part of hydrocarbon constituents found in the groundwater and current site activities may have contributed to methylene chloride in the groundwater. Clean up, method and location of disposal site was to be forth coming.
- 7-6-88 Report from Engineering Science of groundwater sampling results ( 2,000 ppb TPH ; 9.6 ppb ethyl benzene; ND for benzene; ND for toluene).
- 7-13-88 Letter from ONE to Hozeim Kazemi (RWQCB) regarding groundwater sampling results.
- 9-26-88 Letter from Haz Mat (Liz Rose) to Grow Group approving proposed workplan stated in letter of 6-24-88. Recommended to Grow Group to contact SFRWQCB for concurrence since they have the final authority for groundwater issues.

- 10-31-88 Letter from Proviser, Lichtenstein, Pearlman & Phillips to RWQCB to provide all records regarding contaminations at the site.
- 1-10-90 Letter from OHM to Rich Hyiett (RWQCB) requesting written concurrence with the recommendations prior to further work at the site. Requested in response to ACDH letter of Sept. 26, 1988.
- 1-18-90 Letter from Lester Feldman (RWQCB) to Henry Jones. RWQCB had given **verbal concurrence over the past 1 1/2 years**. Lester Feldman will not recommend that the Board pursue an enforcement action if the workplan will be implemented immediately.

*Copy L.F.  
by messenger  
9/16*

LAW OFFICES  
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FAX (415) 465-8556  
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RICHARD F. RENTON  
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ROBIN S. NYREN  
ELIZABETH S. CROOM

September 11, 1991

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

David B. Russell, Esq.  
Grow Group, Inc.  
Law Department  
Pan Am Building  
200 Park Avenue  
New York, New York 10166

RECEIVED  
SEP 16 1991  
200 PARK AVE., N.Y.  
GROW CORP. SEC.

Subject: Remediation of Unauthorized Release

Dear Mr. Russell:

I am writing once again with regard to the abandoned underground storage tank which Boysen Paint Company left on Oakland National Engraving's property at 41st Street in Oakland, California when the property was sold to ONE in 1981. At the time of the sale, Boysen promised that all tanks, except those specifically purchased by ONE, would be removed from the property. Upon discovery of the presence of an underground tank on the 41st Street side of ONE's property in 1986, I immediately wrote to Boysen requesting removal of the tank. In response, Grow Group specifically agreed to remove the tank on behalf of its predecessor in interest, Boysen/Ameritone. ONE relied on this promise and has deferred action regarding this matter based on the ongoing representations by Grow Group that removal was imminent. ONE has been extremely patient in allowing Grow Group a free rein to deal with the underground storage tank. ONE has now waited over five years for Grow Group to honor the promises made to remove the 41st Street tank.

ONE only recently discovered that Grow Group needs to do more than remove the tank; Grow Group must also take corrective action to remediate contamination apparently caused by leakage of petroleum hydrocarbons and methylene chloride from the tank. Apparently, over two years have elapsed from the time it was clear to Grow Group that remediation was necessary. Yet Grow Group has failed to initiate the corrective action which is required and which Grow Group promised to undertake.

David B. Russell, Esq.  
September 11, 1991  
Page 2

The purpose of this letter is to inform you that unless Grow Group takes immediate action to remediate the unauthorized release from the 41st Street tank and to obtain final closure of that tank, ONE will seek the assistance of the Alameda County Environmental Health Department (ACHD) and the Regional Water Quality Control Board (RWQCB) to force Grow Group to take action.

In September, 1990, I wrote to you requesting information on the status of the removal and seeking information from your environmental consultants. Since you were unwilling to cooperate, we obtained copies of your consultants' report from the files of the ACHD and RWQCB. Upon receipt of that information earlier this year, we became aware for the first time that an "Underground Storage Tank Unauthorized Release/Contamination Site Report" had been filed with the local authorities in March, 1988. I find no excuse for Grow Group's failure to inform ONE of the filing of this report and must conclude that the concealment of this critical document was an intentional attempt on the part of Grow Group to delay corrective action.

The ACHD and RWQCB documents which you forced us to obtain directly from the governmental agencies reveal that Grow Group has failed to live up to its promises to those agencies to take corrective action. Not only has Grow Group failed to implement the work plan which was approved verbally by both agencies as early as 1988, and in writing by January, 1990, but it has failed to submit regular reports to these agencies as required by law. On January 18, 1990, the RWQCB threatened Grow Group with fines of up to One Thousand Dollars (\$1,000) per day if it did not "implement its work plan immediately." Still, Grow Group did not act nor did it specifically inform ONE that corrective action was required. In discussing the closure of the tank, your October 15, 1990 letter promised that "any regulatory concerns will be resolved." The fact that you failed to mention the regulatory concerns regarding the unauthorized release and the threatened fines suggests that Grow Group has intentionally left ONE in the dark on this manner. Moreover, Grow Group has failed to undertake any action on the tank site in the year which has passed since you wrote that letter.

ONE's patience has run out. The unauthorized release requires immediate corrective action. If Grow Group is unwilling to undertake such action voluntarily, it should be forced to do so by the ACHD and RWQCB.

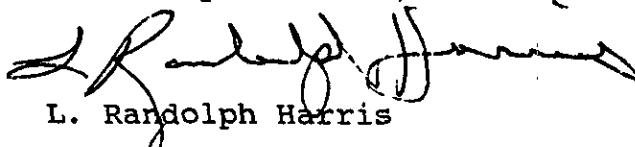
David B. Russell, Esq.  
September 11, 1991  
Page 3

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ONE has cooperated with Grow Group to the best of its abilities and has relied on your representations. It is now Grow Group's responsibility to honor its promises by removing the tank and taking whatever corrective action is called for to prevent further damage to ONE's property.

Very truly yours,

McInerney & Dillon, P.C.



L. Randolph Harris

LRH:dr  
56303248

cc: Mr. E. Kozel, Oakland National Engraving  
Mr. Rafat Shahid, Alameda County Dept.  
of Environmental Health  
Mr. Lester Feldman, California Regional  
Water Quality Control Board



LAW OFFICES  
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CAROL K. WATSON  
ROBIN S. MYREN  
ELIZABETH S. CROOM

September 11, 1991

*- Go*  
*please advise on the Dept's role*  
*SWAN please see me through EU*  
RMS 9/12/91

FAX (415) 465-8556  
HARADON M. DILLON  
RETIRED  
RICHARD F. RENTON  
(1949-1991)

RECEIVED  
SEP 13 1991  
Director of  
Environmental Services

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

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Grow Group, Inc.  
Law Department  
Pan Am Building  
200 Park Avenue  
New York, New York 10166

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September 11, 1991  
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McInerney & Dillon, P.C.

L. Randolph Harris

LRH:dr  
56303248

cc: Mr. E. Kozel, Oakland National Engraving  
Mr. Rafat Shahid, Alameda County Dept.  
of Environmental Health  
Mr. Lester Feldman, California Regional  
Water Quality Control Board

P 113 815 161



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| David B. Russell                                                 |    |
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| 200 Park Avenue                                                  |    |
| P O , State and ZIP Code                                         |    |
| New York, NY 10166                                               |    |
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| Certified Fee                                                    |    |
| Special Delivery Fee                                             |    |
| Restricted Delivery Fee                                          |    |
| Return Receipt Showing<br>to Whom & Date Delivered               |    |
| Return Receipt Showing to Whom,<br>Date, and Addressee's Address |    |
| TOTAL Postage<br>& Fees                                          | \$ |
| Postmark or Date                                                 |    |

PS Form 3800, June 1991

LAW OFFICES  
**McINERNEY & DILLON**  
PROFESSIONAL CORPORATION  
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OAKLAND, CALIFORNIA 94612-3610  
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FAX (415) 465-8556  
OF COUNSEL  
HARADON M. DILLON  
THOMAS G. McNALLY III

RECEIVED  
LEGAL DEPT.

OCT 27 1990

GROW GROUP, INC  
NEW YORK

*File*  
*700.14*

October 17, 1990

CERTIFIED MAIL RETURN RECEIPT REQUESTED

David B. Russell, Esq.  
Grow Group, Inc.  
Law Department  
Pan Am Building  
200 Park Avenue  
New York, New York 10166

Subject: 1001 42nd Street, Oakland, California

Dear Mr. Russell:

I have received no response to my letter of September 4, 1990, requesting the reports relating to the removal of the underground storage tank.

Your immediate reply would be appreciated.

Very truly yours,

McInerney & Dillon, P.C.

*Randolph Harris*  
L. Randolph Harris

LRH:dr  
08003248

cc: Mr. and Mrs. Edward R. Kozel



# Grow Group, Inc.

*File  
700.14*

## Law Department

Pan Am Building  
200 Park Avenue  
New York, NY 10166  
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4000 Dupont Circle  
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TWX: 810-535-3332  
Telecopier: (502) 897-9861

Please Reply to:  
 New York Office  
 Louisville Office

October 15, 1990

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

L. Randolph Harris, P.C.  
McInerney & Dillon  
One Kaiser Plaza - 18th Fl.  
Oakland, CA 94612-3610

Re: 1001 42nd Street, Oakland, California

Dear Mr. Harris:

I am enclosing herewith a copy of your letter dated September 4, 1990.

I do not understand your concern regarding my comment about the removal or in place closure of the tank. The physical situation of the tank is such that actual removal is difficult if not impossible. Whether the tank is actually removed or closed in place should not matter to your client; under either situation any regulatory concerns will be resolved.

Communications between Grow and its environmental contractor are privileged. Communications to and from administrative agencies are presumably a matter of public record and as such available to you.

I realize that your clients would like to have this matter resolved. We would also like to have it resolved.

This matter has our attention and we are attempting to bring it to an appropriate conclusion.

Very truly yours,

Grow Group, Inc.

*[Signature]*  
David H. Russell  
Associate General Counsel

Encl.

cc: L. Frank, Esq.  
H. Jones

LAW OFFICES  
**McINERNEY & DILLON**  
PROFESSIONAL CORPORATION  
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OAKLAND, CALIFORNIA 94612-3610  
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QUINLAN S. TOM

FAX (415) 465-8556  
OF COUNSEL  
HARADON M. DILLON  
THOMAS C. McNALLY III

RECEIVED  
LEGAL DEPT.

September 4, 1990

SEPT 11 1990  
GROW GROUP, INC.  
NEW YORK

CERTIFIED MAIL RETURN RECEIPT REQUESTED

David B. Russell, Esq.  
Grow Group, Inc.  
Law Department  
Pan Am Building  
200 Park Avenue  
New York, New York 10166

Subject: 1001 42nd Street, Oakland, California

Dear Mr. Russell:

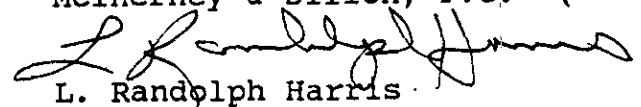
I am in receipt of your letter dated August 21, 1990. In your prior correspondence, you had stated that Grow Group, Inc., would remove the underground storage tank following receipt of written approval from the Regional Water Quality Control Board. I was therefore surprised to read that your environmental contractor is now "reviewing various options with respect to the excavation and removal or in place closure of the tank."

This matter has dragged on for over three years, and the tank remains in the ground; this is an unacceptable situation. Please provide me with all written reports from your environmental contractor and the various administrative agencies received by Grow Group with respect to the tank. In addition, please forward to me the name, address and telephone number of the appropriate person at the offices of your environmental contractor who can provide me with additional information.

I look forward to your prompt response.

Very truly yours,

McInerney & Dillon, P.C.

  
L. Randolph Harris

LRH/MDV:dr

08403248

cc: Mr. and Mrs. Edward Kozel



## Grow Group, Inc.

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### Law Department

Please Reply to:  
 New York Office  
 Louisville Office

August 21, 1990

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

L. Randolph Harris, Esq.  
McInerney & Dillon  
One Kaiser Plaza - 18th Fl.  
Oakland, CA 94612-3610

Re: 1001 42nd Street, Oakland, California

Dear Mr. Harris:

Reference your letter dated July 19, 1990, copy enclosed.

It is my understanding that the contents of the underground storage tank have been removed and disposed. In addition, a ground water monitoring well has been installed and samples collected. Our environmental contractor, OHM Corporation is presently reviewing various options with respect to the excavation and removal or in place closure of the tank.

Very truly yours,

GROW GROUP, INC.

David B. Russell  
Associate General Counsel

Encl.



JUL 24 1990

LAW OFFICES  
**McINERNEY & DILLON**  
 PROFESSIONAL CORPORATION  
 ONE KAISER PLAZA · 18TH FLOOR  
 OAKLAND, CALIFORNIA 94612-3610  
 TELEPHONE (415) 465-7100

**GROW GROUP, INC.**  
 NEW YORK

FAX (415) 465-8556  
 OF COUNSEL  
 HARADON M. DILLON  
 THOMAS C. McNALLY III

WILLIAM H. McINERNEY  
 TIMOTHY F. WINCHESTER  
 ROBERT L. LESLIE  
 RICHARD F. RENTON  
 WILLIAM H. McINERNEY, JR.  
 L. RANDOLPH HARRIS  
 MICHAEL E. LONDON  
 FRANKLIN H. YAP  
 MICHAEL D. VALE  
 ROBERT G. ZELENKA  
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 CHARLES E. TOOMBS  
 EAMONN P. CONLON  
 WILLIAM A. BARRETT  
 DAPHNE D. GOLLINER  
 RICHARD W. LUND  
 JEWELL J. HARGLEROAD

July 19, 1990

CERTIFIED MAIL RETURN RECEIPT REQUESTED

David B. Russell, Esq.  
 Grow Group, Inc.  
 Law Department  
 Pan Am Building  
 200 Park Avenue  
 New York, New York 10166

Subject: 1001 42nd Street, Oakland, California

Dear Mr. Russell:

In your last communication to me, you indicated that Grow Group, Inc., was awaiting written approval from the San Francisco Regional Water Quality Control Board for the removal of the tank referred to in our earlier correspondence.

Please advise me of the current status of the tank removal, and when Grow Group expects to complete removal of the tank.

Thank you.

Very truly yours,

McInerney & Dillon, P.C.

  
 L. Randolph Harris

LRH:dr  
 06903248

cc: Mr. and Mrs. Edward R. Kozel

## CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

SAN FRANCISCO BAY REGION

1800 HARRISON STREET, SUITE 700  
OAKLAND, CA 94612Phone: Area Code 415  
464-1255

January 18, 1990

File: Alameda County UGT (RCH)

01

Henry W. Jones  
Grow Group Inc.  
4000 Dupont Circle  
Louisville, Kentucky 40207

1001 - 4th Street, Oakland

Subject: Response to letter of January 10, 1990 by O.H.  
Materials Corporation

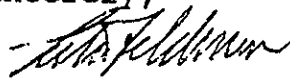
Dear Mr. Jones,

The Alameda County Department of Environmental Health (ACHD) is the local lead agency handling your site. Mr. Rafat Shahid from ACHD has reviewed and accepted your proposed work plan as of September 26, 1988 with the stipulation that you needed the concurrence from the Regional Water Quality Control Board (RWQCB). Verbal concurrence has been given from various RWQCB staff for over one and one-half years. Your consultant from OHM corporation, Steve Rice, has been repeatedly told that the RWQCB does not possess the staff necessary to concur with each proposal that is submitted for review with a written response. Steve Rice has informed the RWQCB staff that you have been reticent to continue work until a written response to your work plan been issued.

The RWQCB staff is deeply concerned over the impacts to water quality by your failure to proceed with your work plan. Technical and/or monitoring reports have been due to this office and the ACHD three months following your preliminary site investigation in 1988 as required by section 2652 of subchapter 16, title 23, of the California Administrative Code. The Regional Board is empowered, by section 13268 of the California Water Code, to levy fines up to one thousand (1000) dollars for failure to submit technical and/or monitoring reports for each day in noncompliance. However I will not recommend that the Board pursue an enforcement action at this time if you implement your work plan immediately.

If you have any questions with this letter please do not hesitate to call Richard Hiett from my staff at (415) 464-4359.

Sincerely,



Lester Feldman  
Section Leader  
North Bay Toxics

cc: Scott Rice, O.H. Materials Corporation

Lowell Miller, Alameda County Health Department



OHM Corporation

January 10, 1990

CALIFORNIA REGIONAL WATER

JAN 11 1990

Rich Hyatt  
San Francisco Regional Water Quality  
Control Board  
111 Jackson Street  
Oakland, CA 94607

QUALITY CONTROL BOARD

Re: UNDERGROUND STORAGE TANKS, FORMER GROW GROUP FACILITY,  
EMERYVILLE, CA 94608

Dear Mr. Hyatt,

Enclosed is the report concerning the underground storage tank at the former Grow Group site in Emeryville, California. As we had discussed over the phone, the client would like some form of written concurrence with the recommendations prior to further work at the site. The client is requesting this in response to the letter of September 26, 1988 from Rafat A. Shahid of the Alameda County Health Care Services Agency in which Mr. Shahid has asked the client to obtain your concurrence. I have also included a copy of this letter.

Your prompt response to this request would be greatly appreciated. If you have any questions please contact me at (916) 928-1819.

Sincerely,

Scott Rice  
Project Hydrogeologist

enclosures:

*sent reply  
via JF.  
on 1/18/90*

# Grow Group, Inc.

## Law Department

Pan Am Building  
200 Park Avenue  
New York, NY 10166  
(212) 599-4400  
TWX: 710-581-3686  
Telecopier: (212) 286-0940

P. O. Box 7600  
4000 Dupont Circle  
Louisville, KY 40207  
(502) 897-9861  
TWX: 810-535-3332  
Telecopier: (502) 897-9861

Please Reply to:  
 New York Office  
 Louisville Office

December 14, 1989

**CERTIFIED MAIL -**  
**RETURN RECEIPT REQUESTED**

L. Randolph Harris, Esq.  
McInerney & Dillon  
One Kaiser Plaza  
Oakland, CA 94612-3610

Re: 1001 42nd Street, Oakland, California

Dear Mr. Harris:

Reference your letter of December 7, 1989 and my letter of August 18, 1989, copies attached.

I have been advised that the San Francisco Bay Area Water Quality Control Board has given verbal approval to proceed with further investigations preparatory to removing the underground storage tank. Upon receipt of written approval we intend to proceed with this project. Apparently our request was lost for some time through personnel changes at the San Francisco Bay Area Water Quality Control Board.

Very truly yours,

GROW GROUP, INC.

David B. Russell  
Associate General Counsel

DBR:hm  
Enc.

bcc: L. Frank, Esq.  
H. Jones

LAW OFFICES  
**McINERNEY & DILLON**  
PROFESSIONAL CORPORATION  
ONE KAISER PLAZA · 18TH FLOOR  
OAKLAND, CALIFORNIA 94612-3610  
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EAMONN P. CONLON  
WILLIAM A. BARRETT  
DAPHNE O. GOLLINER  
RICHARD W. LUND  
JEWELL J. HARGLEROAD

December 7, 1989

**CERTIFIED MAIL RETURN RECEIPT REQUESTED**

David B. Russell, Esq.  
Grow Group, Inc.  
Law Department  
Pan Am Building  
200 Park Avenue  
New York, New York 10166

Subject: 1001 42nd Street, Oakland, California

Dear Mr. Russell:

The last communication which I received from you regarding this matter was on August 18, 1989. At that time, you indicated that Grow Group, Inc., was still in the process of securing necessary approval from the San Francisco Regional Water Quality Control Board for the removal of the tank referred to in our earlier correspondence.

Please advise me of the current status of the tank removal, and of when Grow Group expects to complete removal of the tank.

Thank you.

Very truly yours,

McInerney & Dillon, P.C.

  
L. Randolph Harris

LRH:dlb  
88203248

cc: Mr. and Mrs. Edward R. Kozel

RECEIVED  
LEGAL DEPT.

DEC 12 1989

GROW GROUP, INC.  
NEW YORK



# Grow Group, Inc.

Law Department

Pan Am Building  
200 Park Avenue  
New York, NY 10166  
(212) 599-4400  
TWX: 710-581-3686  
Telecopier: (212) 286-0940

P.O. Box 7600  
4000 Dupont Circle  
Louisville, KY 40207  
(502) 897-9861  
TWX: 810-535-3332  
Telecopier: (502) 897-9861

Please Reply to:  
 New York Office  
 Louisville Office

August 18, 1989

CERTIFIED MAIL RETURN RECEIPT REQUESTED

L. Randolph Harris, Esq.  
McInerney & Dillon  
1 Kaiser Plaza  
18th Floor  
Oakland, CA 94612-3609

RE: 1001 42ND STREET, OAKLAND, CALIFORNIA

Dear Mr. Harris:

Reference your letter dated July 25, 1989, copy enclosed.

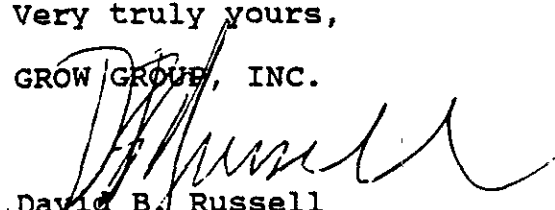
Please be advised that we can only complete the removal of the "tank in question" with appropriate governmental approvals. In September, 1988 we received approval from Alameda County for further site investigation, but were advised that we should also seek approval from the San Francisco Regional Water Quality Control Board. Such approval was requested in October, 1988, but has not yet been received.

I have asked our Manager of Environmental Affairs to follow up on this matter.

As previously indicated, Grow will not assume responsibility for any contaminants which are not the result of operations by Grow. This specifically includes, without limitation, methylene chloride in and outside the tank.

Very truly yours,

GROW GROUP, INC.

  
David B. Russell  
Associate General Counsel

DBR/rl  
enclosure

LAW OFFICES  
**McINERNEY & DILLON**  
PROFESSIONAL CORPORATION  
ONE KAISER PLAZA · 18TH FLOOR  
OAKLAND, CALIFORNIA 94612-3609  
TELEPHONE (415) 465-7100

FAX (415) 465-8588  
OF COUNSEL  
WESLEY B. HILLS

WILLIAM H. McINERNEY  
MARADON M. DILLON  
TIMOTHY F. WINCHESTER  
ROBERT L. LESLIE  
RICHARD F. RENTON  
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TIMOTHY L. McINERNEY  
CHARLES E. TOOMBS  
EAMONN P. CONLON  
WILLIAM A. BARRETT  
DAPHNE D. GOLLINER

July 25, 1989

CERTIFIED MAIL  
No. P835 464 940

David B. Russell, Esq.  
Grow Group, Inc.  
Law Department  
Pan Am Building  
200 Park Avenue  
New York, New York 10166

Subject: 1001 42nd Street, Oakland, California

Dear Mr. Russell:

The last communication which I received from you regarding this matter was July 7, 1988. At that time, you indicated that Grow Group, Inc., was in the process of securing necessary governmental approvals for the removal of the tank referred to in our earlier correspondence. As you must agree, your promise to remove the tank in question has remained unfulfilled for much too long a time.

Please advise me of the current status of the tank removal, and of when Grow Group expects to complete removal of the tank.

Thank you.

Very truly yours,

McInerney & Dillon, P.C.



L. Randolph Harris

LRH:dlb  
300D3248

cc: Mr. and Mrs. Edward R. Kozel



① LHM  
② File  
File

LAW OFFICES  
PROVIZER, LICHTENSTEIN, PEARLMAN & PHILLIPS, P.C.

4000 TOWN CENTER, SUITE 1240  
SOUTHFIELD, MICHIGAN 48075

TELEPHONE (313) 352-9080  
FACSIMILE (313) 352-1491

1 ALSO ADMITTED IN FLORIDA  
2 ALSO ADMITTED IN WISCONSIN  
3 ALSO ADMITTED IN OHIO  
4 ALSO ADMITTED IN PENNSYLVANIA  
5 ALSO ADMITTED IN NEW YORK  
6 ALSO ADMITTED IN WASHINGTON, D.C.

AROLD M. PROVIZER  
LVIO S. LICHTENSTEIN  
VIN J. PEARLMAN  
NDALL PHILLIPS I  
RILYN A. MADORSKY 2  
UART M. FELDHEIM 3  
HN EMERY  
LVIO M. MOSS  
NIEL S. LANDMAN  
RTIN N. FEALK  
DITH FLEMING VARGA  
BORAH MOLITZ 4  
RK J. RUDOLPH  
RC P. SHABERMAN  
NSTANCE S. HALL  
EL F. BECK 5  
SAN A. SMITH  
WRENCE H. WALLACH 6  
BRA A. KOPCZYNSKI  
RUCE K. PAZNER

October 28, 1988 ✓

01

CALIFORNIA REGIONAL WATER

OCT 31 1988

POW

QUALITY CONTROL BOARD

California RWQCB  
San Francisco Bay Region  
1111 Jackson Street, Room 6040  
Oakland, CA 94607

RE: 41st Street Property  
Emeryville, California ✓

TO THOM IT MAY CONCERN:

The location of the property in question is 41st Street between Linden and Alden Street, Emeryville, California, and concerns the removal of an underground storage tank and contamination clean-up.

In our records, it appears that the 41st Street Site was previously owned by Boysen Paint Company (a/k/a former Grow Group Facility) and sold to Oakland National Engraving Company (Edward and Elizabeth Kozel) in June, 1981. Oakland National Engraving Company leased said property to Antique Refinishers.

Please provide for inspection and copying within ten (10) working days, all records and documents involving or related to the 41st Street Site located in Emeryville, California, and which is currently under investigation by the California RWQCB. The records and documents requested include, but are not limited to, the following:

1. All environmental, geological, hydrological, technical and engineering reports, studies, evaluations and analysis, including all raw data related to any pollution or contamination at, near, or arising from the above Site.

2. Any records and documents related to Boysen Paint Company involvement at the Site, including any documents related to the amount, nature, toxicity or volume of any contamination or hazardous materials contributed to or allegedly contributed to the Site by Boysen Paint Company, other Potentially Responsible Parties and any documents and records related to the method,

Lisa, please call and inform of our hours.

I called 11/8/88  
LHM

California RWQCB  
October 28, 1988  
Page 2

manner or operations of Boysen Paint Company related to the use, storage, receipt, disposal, discharge, disbursement, transportation, manufacture, sale or distribution of any hazardous materials which are alleged or claim to be involved at or about the Site.

3. Any evaluations, reports, records or studies, including any RI/FS, ROD's, work plans, or other records related to the Site.

4. Any estimates, lists or evaluations related to the relative volume, quantity or toxicity of hazardous materials alleged to have been contributed to the Site by Boysen Paint Company and any other Potentially Responsible Parties.

5. Any letters, correspondence, memoranda, orders, requests for information, response to request for information, opinions, intra-agency letters or memoranda or other investigatory materials related to the above site.

The above request is made pursuant to the Freedom of Information Act, 5 U.S.C. §552, and Environmental Protection Agency Records 40 CFR §2.100 et. seq.

If you have determined that any documents subject to this request should be withheld pursuant to any exemption in the Freedom of Information Act, or if you deny this request in whole or in part, we request that you state the particular and specific justification for denying the request or withholding a record in whole or part pursuant to Rule 2.115.

Any notice of denial of any requests should set forth the name, and title of the position of each person responsible for the denial of the request pursuant to 5 U.S.C. §552(a)(6)(C).

If any portion of any records you determine is entitled to be withheld, pursuant to an exemption in the Freedom of Information Act, if not subject to the exemption, please produce any segregable portions of the records which are not subject to the exemption pursuant to 5 U.S.C. §552(d). If you determine that circumstances are exceptional requiring additional time beyond ten (10) working days to provide a response to this request, please set forth the reason for your need for additional time pursuant to 5 U.S.C. §552(6)(a)(6)(B).

California RWQCB  
October 28, 1988  
Page 3

If you have any questions, please do not hesitate to call me at  
(313) 352-9080, Monday through Friday from 9:00 a.m. to 5:00 p.m.

Very truly yours,

*Theresa M. Visger*

THERESA MARIE VISGER  
Paralegal

TMV/bvm

ALAMEDA COUNTY  
HEALTH CARE SERVICE

AGENCY  
DAVID J. KEARS, Director



Hazardous Materials Division  
80 Swan Way, Room 200  
Oakland, CA 94621

Telephone Number: (415) 271-4320

September 26, 1988

Grow Group, Inc.  
4000 Dupont Circle  
Louisville, KY 40207  
Attn: Henry W. Jones

SUBJECT: UNDERGROUND STORAGE TANKS, FORMER GROW GROUP FACILITY,  
EMERYVILLE, CA 94608

Dear Mr. Jones:

The Alameda County, Division of Hazardous Materials has reviewed your letter dated June 24, 1988 regarding the site investigation at the former Grow Group Facility. It is the opinion of this office that your proposed work plan is acceptable. However, it is recommended that you also contact the San Francisco Regional Water Quality Control Board (RWQCB) for their concurrence since they have the final authority over groundwater issues.

Should you have any questions, please contact Lizabeth Rose, Hazardous Materials Specialist at 271-4320.

Sincerely,

Rafat A. Shahid, Chief  
Hazardous Materials Division

RAS:LR:mam

cc: RWQCB  
Emeryville Fire Department

## MEMORANDUM

TO File FROM LRose DATE 9/20/88

SUBJECT Grow Group Facility

Note: There is another file listed

AS - Nail Engineering  
1001 4<sup>th</sup> nd St.  
94608



*File ONE*  
*Dennis*  
*EDR*  
JUL 15 1988  
HAZARDOUS MATERIALS/  
WASTE PROGRAM

July 13, 1988

Mr. H. Kazemi  
Regional Water Quality Control Board  
1111 Jackson St.  
Oakland, CA 94607

Dear Mr. Kazemi,

Please find enclosed laboratory analyses of water from the monitoring well installed on our premises after the removal of an underground tank. This is the third quarterly test we have submitted. The first two were submitted on 1/19/88 and 4/14/88.

Please feel free to call me if you have any questions, or if I can be of any further assistance.

Sincerely,

Peter Truskier  
Technical Director

cc: Mr. Edgar B. Howell III, ACHCSA



# Grow Group, Inc.

## Law Department

Pan Am Building  
200 Park Avenue  
New York, NY 10166  
(212) 599-4400  
TWX: 710-581-3686  
Telecopier: (212) 286-0940

P.O. Box 7600  
4000 Dupont Circle  
Louisville, KY 40207  
(502) 897-9861  
TWX: 810-535-3332  
Telecopier: (502) 897-9861

Please Reply to:  
 New York Office  
 Louisville Office

CERTIFIED MAIL - RETURN RECEIPT  
REQUESTED

July 7, 1988

L. Randolph Harris, Esq.  
McInerney & Dillon, P. C.  
1 Kaiser Plaza  
Suite 1850  
Oakland, CA 94612-3609

RE: 1001 - 42ND STREET  
OAKLAND, CA

Dear Mr. Harris:

Reference your letter dated June 25, 1988.

Please be advised that Grow retained O. H. Materials Corp., an environmental consulting firm, in the Spring of 1987 to develop a proposal for removal/in place closure of the tank referred to in your letter. O. H. Materials has subsequently conducted a number of surveys with respect to this tank. Governmental approvals for disposal of the tank contents and for further investigations relative to the discovery of methylene chloride and other contaminants outside the tank have been requested.

It is our understanding that none of the former Grow (Boysen/Ameritone) operations utilized methylene chloride at the above property. Grow will not assume responsibility for such contamination or for the presence of any other contaminants which are not the result of operations by Grow.

It will not be possible to remove the tank or to close the same in place (Grow's preferred remedy) prior to the receipt of approval to proceed with, and the completion of, the investigations referred to above.

Very truly yours,

  
David B. Russell

DBR:sa

cc: L. Frank, Esq.  
H. Jones

LAW OFFICES  
**McINERNEY & DILLON**  
PROFESSIONAL CORPORATION  
ONE KAISER PLAZA · 18TH FLOOR  
OAKLAND, CALIFORNIA 94612-3609  
TELEPHONE (415) 465-7100

FAX (415) 465-8556  
OF COUNSEL  
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MICHAEL D. VALE  
ROBERT G. ZELENKA  
TIMOTHY L. McINERNEY  
CHARLES E. TOOMBS  
CAMONN P. CONLON  
RUTA PASKEVICIUS  
WILLIAM A. BARRETT

June 25, 1988

CERTIFIED MAIL NO. P 139 913 556  
RETURN RECEIPT REQUESTED

**RECEIVED**  
**LEGAL DEPT.**

**JUN 28 1988**

Mr. David B. Russell  
Grow Group, Inc.  
Pan Am Building  
200 Park Avenue  
New York, NY 10166

**GROW GROUP, INC.**  
**NEW YORK**

Re: 1001 - 42nd Street, Oakland, California 94662

Dear Mr. Russell:

I represent Edward R. Kozel and Elizabeth A. Kozel.

You last corresponded regarding the above-referenced property by your letter of January 6, 1987. For your convenience I have enclosed a copy of that letter. Subsequent to that letter, we discussed this matter by telephone. Also, Mr. Henry Jones, from your Louisville, Kentucky office, visited the site and initiated steps for removal of the tank.

It was my understanding and the understanding of my clients, that Mr. Jones would proceed expeditiously with the removal of the tank. However, my clients informed me recently that a considerable period of time has elapsed since Mr. Jones last contacted my clients or made any noticeable efforts concerning removal of the tank. I trust that the press of business has diverted Mr. Jones' attention from this matter.

I will appreciate your contacting Mr. Jones to spur him to action regarding removal of the tank. Also, I will appreciate your confirmation to me that your company will proceed in the very near future to remove the tank.



Mr. David B. Russell  
June 25, 1988  
Page 2

Thank you for your prompt attention to this matter.

Very truly yours,  
McINERNEY & DILLON, P.C.

L. Randolph Harris

LRH:py  
8085#3248  
Encl.  
cc: Mr. and Mrs. Edward R. Kozel

**GROW GROUP, INC.**

4000 Dupont Circle  
Louisville, Kentucky 40207  
Telephone: (502) 897-9861

**RECEIVED**  
JUL 1 1988

**HAZARDOUS MATERIALS/  
WASTE PROGRAM**

June 24, 1988  
HWJ-130-88

Mr. Rafat A. Shahid  
Alameda County Department of Environmental Health  
470 27th Street, Third Floor  
Oakland, CA. 94612

Re: **Underground Storage Tank**  
**Former Grow Group Facility, Emeryville, CA.**

Dear Mr. Shahid:

We received your letter dated May 20, 1988, explaining informational requirements with regard to an alleged unauthorized release from an underground storage tank. The tank in question is located beneath the side walk adjacent to a former Grow Group facility on Forty-first street in Emeryville. In your letter, you acknowledged receipt of a report prepared by O. H. Materials (OHM), dated March 29, 1988. The OHM report concluded a source other than the subject tank may be responsible for all or part of the hydrocarbon constituents found in ground water, that current site activities may have contributed to the presence of the Methylene Chloride found in the ground water and that free product may also be present.

It is Grow Group's intent to further investigate these issues at the site. The OHM report ended with recommendations to dispose of the tank contents at a licensed disposal site, install a permanent ground water monitor well and trace the tank product line into the facility. After tracing this line, it will be removed and the point of connection plugged at the tank.

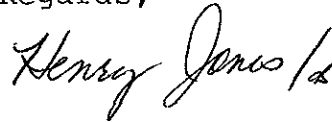
Grow Group is prepared to initiate this work in the very near future provided you concur with our approach. It is Grow Group's belief that we have yet to confirm that the subject tank is indeed the source of the apparent ground water contamination. We also feel that we have complied, to the degree possible given the information currently available, with the 6 listed tasks presented in the May 20 letter from your office. Item 1, type and quantity of substance released, Item 2, investigation results, Item 5, method of repair,

Mr. Rafat A. Shahid  
Page 2

and Item 6, operators name have been reported. Items 3 and 4 will be addressed in subsequent reports when adequate data are developed.

Your timely response to our proposal will be greatly appreciated.

Regards,



Henry W. Jones  
Manager, Environmental Affairs

/ds

cc: J. J. Espelage  
D. B. Russell  
W. H. Russell

California RWQCB  
San Francisco Bay Region  
1111 Jackson Street  
Room 6040  
Oakland, CA. 94607

Emeryville Fire Department  
4331 San Pablo Avenue  
Emeryville, CA. 94608

Dennis Parfitt  
O. H. Materials Corp.  
3900 Industrial Blvd.  
West Sacramento, CA. 95691

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



DEPARTMENT OF ENVIRONMENTAL HEALTH  
470 - 27th Street, Third Floor  
Oakland, California 94612  
(415) 271-4320

May 20, 1988

Grow Group, Inc.  
P.O. Box 7600  
4000 Dupont Circle  
Louisville, KY 40207  
Attn: Henry Jones

SUBJECT: UNDERGROUND STORAGE TANK UNAUTHORIZED RELEASE (LEAK)/  
CONTAMINATION SITE REPORT AT GROW GROUP INC., EMERYVILLE

Dear Mr. Jones:

On April 11, 1988, our office received a report of the preliminary site investigation prepared by O.H. Materials for the former Grow Group Facility in Emeryville, California. The purpose of the site investigation was to determine whether there had been any soil or groundwater contamination prior to tank closure. This report indicates that contamination has been discovered in the groundwater.

The California Administrative Code, Title 23, requires all unauthorized releases to be reported. Section 2652(b) requires within five (5) working days of detecting the release, the operator or permittee shall submit to the local agency (Alameda County Hazardous Materials Division) a full written report to include all of the following information which is known at the time of filing the report:

1. List of type and quantity of hazardous substances released.
2. The results of all investigations completed at that time to determine the extent of soil or groundwater or surface water contamination due to the release.
3. Method of clean-up implemented to date, proposed clean-up actions, and approximate cost of actions taken to date.
4. Method and location of disposal of the released hazardous substance and any contaminated soils or groundwater or surface water (indicate whether a hazardous waste manifest(s) is utilized).

Grow Group, Inc.  
UGT Unauthorized Release (Leak)/  
Contamination Site Report  
May 20, 1988  
Page 2 of 2

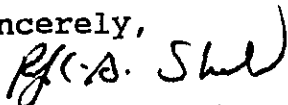
5. Proposed method of repair or replacement of the primary and secondary containers.
6. Facility operator's name and telephone number.

Until clean-up is complete, the operator or permittee shall submit reports to the County and the Regional Water Quality Control Board (RWQCB) every three (3) months or at a more frequent interval if specified by either agency. The reports shall include the information requested in 2, 3 and 4 of the above. The report requested above shall be prepared in accordance with the San Francisco Regional Water Quality Control Board's "Guidelines for Addressing Fuel Leaks," September 1985 or as otherwise directed by the Regional Board. The initial investigation report shall be submitted within 30 days and shall include a site safety plan.

Soils contaminated at hazardous waste concentrations shall be transported by a licensed hazardous hauler and disposed of or treated at a California Department of Health Services approved facility. Soils contaminated below hazardous waste concentrations may be managed as non-hazardous but are subject to waste discharge requirements of the Regional Board.

Should you have any questions regarding this letter, please contact Lizabeth Rose, Hazardous Materials Specialist at 271-4320.

Sincerely,



Rafat A. Shahid, Chief  
Hazardous Materials Division

RAS:mam

cc: RWQCB  
Emeryville Fire Department

O.H. Materials Corp.  
3900 Industrial Blvd.  
West Sacramento, CA 95691  
916-372-1331

 OHM

March 29, 1988

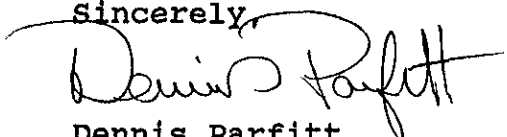
Ms. Lizabeth Rose  
Hazardous Materials Specialist  
Alameda County Health Care Services  
470 27th Street, Room 322  
Oakland, CA 94612

Dear Ms. Rose:

RE: Former Grow Group Facility Underground Storage Tank,  
Emeryville, California

On behalf of Grow Group Inc., OHM respectfully submits the enclosed report of the preliminary site investigation of an underground storage tank located at the former Grow Group facility in Emeryville, California. Also enclosed is the "Underground Storage Tank Unauthorized Release . . . Report" form. If you have any questions or comments regarding the enclosed material, please call me at 916-372-1331.

Sincerely,

  
Dennis Parfitt  
Senior Hydrogeologist  
CEG 1223

DP:sg

Enclosures

pc: Henry Jones  
Manager Environmental Affairs  
Grow Group INC.  
P.O. Box 7600  
4000 Dupont Circle  
Louisville, KY 40207

David B. Russell  
Grow Group Inc.  
200 Park Avenue  
New York, NY 10166



# UNDERGROUND STORAGE TANK UNAUTHORIZED RELEASE (LEAK) / CONTAMINATION SITE REPORT

|                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                  |                                                                                                                                                                                                                                |
|-----------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| EMERGENCY<br><input type="checkbox"/> YES <input type="checkbox"/> NO |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | HAS STATE OFFICE OF EMERGENCY SERVICES REPORT BEEN FILED?<br><input type="checkbox"/> YES <input type="checkbox"/> NO                                                                                 |                                                                                                                                                                                                                                                                                                                                                                          | FOR LOCAL AGENCY USE ONLY<br>I HEREBY CERTIFY THAT I AM A DESIGNATED GOVERNMENT EMPLOYEE AND THAT I HAVE REPORTED THIS INFORMATION TO LOCAL OFFICIALS PURSUANT TO SECTION 25180.7 OF THE HEALTH AND SAFETY CODE. |                                                                                                                                                                                                                                |
| REPORT DATE<br>0 m 3 m 2 d 6 d 8 y 8 y                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | CASE #                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                  |                                                                                                                                                                                                                                |
| REPORTED BY                                                           | NAME OF INDIVIDUAL FILING REPORT<br>Dennis Parfitt CEG 1223                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                       | PHONE<br>(916) 372-1331                                                                                                                                                                                                                                                                                                                                                  | SIGNATURE<br><i>Dennis Parfitt</i>                                                                                                                                                                               |                                                                                                                                                                                                                                |
|                                                                       | REPRESENTING<br><input type="checkbox"/> LOCAL AGENCY <input checked="" type="checkbox"/> OWNER/OPERATOR <input type="checkbox"/> REGIONAL BOARD <input type="checkbox"/> OTHER                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                       | COMPANY OR AGENCY NAME<br>O.H. Materials Corp                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                  |                                                                                                                                                                                                                                |
|                                                                       | ADDRESS<br>3900 Industrial Blvd, West Sacramento, CA 95691                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                  |                                                                                                                                                                                                                                |
| RESPONSIBLE PARTY                                                     | NAME<br>Grow Group, Inc. <input type="checkbox"/> UNKNOWN                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                       | CONTACT PERSON<br>Henry Jones                                                                                                                                                                                                                                                                                                                                            | PHONE<br>(502) 897-9861                                                                                                                                                                                          |                                                                                                                                                                                                                                |
|                                                                       | ADDRESS<br>POBox 7600, 4000 Dupont Circle, Louisville, KY 40207                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                  |                                                                                                                                                                                                                                |
| SITE LOCATION                                                         | FACILITY NAME (IF APPLICABLE)<br>Oakland National Engravers                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                       | OPERATOR<br>Same                                                                                                                                                                                                                                                                                                                                                         | PHONE<br>( ) unknown                                                                                                                                                                                             |                                                                                                                                                                                                                                |
|                                                                       | ADDRESS<br>41st Street btwn Linden & Adeline St., Emeryville, CA                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                  |                                                                                                                                                                                                                                |
|                                                                       | CROSS STREET<br>Adeline                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | TYPE OF AREA<br><input checked="" type="checkbox"/> RESIDENTIAL <input type="checkbox"/> COMMERCIAL <input type="checkbox"/> INDUSTRIAL <input type="checkbox"/> RURAL <input type="checkbox"/> OTHER | TYPE OF BUSINESS<br><input type="checkbox"/> FARM <input checked="" type="checkbox"/> OTHER paint mgf                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                  |                                                                                                                                                                                                                                |
| IMPLEMENTING AGENCIES                                                 | LOCAL AGENCY<br>Alameda Co. Health Services                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                       | CONTACT PERSON<br>Liz Rose                                                                                                                                                                                                                                                                                                                                               | PHONE<br>(415) 874-7237                                                                                                                                                                                          |                                                                                                                                                                                                                                |
|                                                                       | REGIONAL BOARD<br>S.F. Bay Area--Region 2                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                       | Peter Johnson                                                                                                                                                                                                                                                                                                                                                            | PHONE<br>(415) 464-0838                                                                                                                                                                                          |                                                                                                                                                                                                                                |
| SUBSTANCES INVOLVED                                                   | (1) NAME<br>methylene chloride                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                       | QUANTITY LOST (GALLONS)<br><input checked="" type="checkbox"/> UNKNOWN                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                  |                                                                                                                                                                                                                                |
|                                                                       | (2) NAME<br>light petroleum hydrocarbons                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                       | <input checked="" type="checkbox"/> UNKNOWN                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                  |                                                                                                                                                                                                                                |
| DISCOVERY/ABATEMENT                                                   | DATE DISCOVERED<br>0 m 2 m 0 d 9 d 8 y 8 y                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                       | HOW DISCOVERED<br><input type="checkbox"/> TANK TEST <input type="checkbox"/> TANK REMOVAL <input checked="" type="checkbox"/> SUBSURFACE MONITORING <input type="checkbox"/> NUISANCE CONDITIONS                                                                                                                                                                        |                                                                                                                                                                                                                  |                                                                                                                                                                                                                                |
|                                                                       | DATE DISCHARGE BEGAN<br>M M D D Y Y <input checked="" type="checkbox"/> UNKNOWN                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                       | METHOD USED TO STOP DISCHARGE (CHECK ALL THAT APPLY)<br><input type="checkbox"/> REMOVE CONTENTS <input type="checkbox"/> REPLACE TANK <input type="checkbox"/> CLOSE TANK<br><input type="checkbox"/> REPAIR TANK <input type="checkbox"/> REPAIR PIPING <input type="checkbox"/> CHANGE PROCEDURE<br><input checked="" type="checkbox"/> OTHER content removal pending |                                                                                                                                                                                                                  |                                                                                                                                                                                                                                |
|                                                                       | HAS DISCHARGE BEEN STOPPED?<br><input type="checkbox"/> YES <input type="checkbox"/> NO IF YES, DATE M M D D Y Y                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                       | unknown                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                  |                                                                                                                                                                                                                                |
| SOURCE/CAUSE                                                          | SOURCE OF DISCHARGE<br><input type="checkbox"/> TANK LEAK <input checked="" type="checkbox"/> UNKNOWN <input type="checkbox"/> PIPING LEAK <input type="checkbox"/> OTHER                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                       | TANKS ONLY/CAPACITY<br>6000 GAL.<br>AGE 20 YRS<br><input type="checkbox"/> UNKNOWN                                                                                                                                                                                                                                                                                       | MATERIAL<br><input type="checkbox"/> FIBERGLASS <input checked="" type="checkbox"/> STEEL <input type="checkbox"/> OTHER                                                                                         | CAUSE(S)<br><input type="checkbox"/> OVERFILL <input type="checkbox"/> RUPTURE/FAILURE<br><input type="checkbox"/> CORROSION <input type="checkbox"/> UNKNOWN<br><input type="checkbox"/> SPILL <input type="checkbox"/> OTHER |
|                                                                       | CHECK ONE ONLY<br><input type="checkbox"/> UNDETERMINED <input type="checkbox"/> SOIL ONLY <input checked="" type="checkbox"/> GROUNDWATER <input type="checkbox"/> DRINKING WATER - (CHECK ONLY IF WATER WELLS HAVE ACTUALLY BEEN AFFECTED)                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                  |                                                                                                                                                                                                                                |
| CURRENT STATUS                                                        | CHECK ONE ONLY<br><input checked="" type="checkbox"/> SITE INVESTIGATION IN PROGRESS (DEFINING EXTENT OF PROBLEM) <input type="checkbox"/> CLEANUP IN PROGRESS <input type="checkbox"/> SIGNED OFF (CLEANUP COMPLETED OR UNNECESSARY)<br><input type="checkbox"/> NO ACTION TAKEN <input type="checkbox"/> POST CLEANUP MONITORING IN PROGRESS <input type="checkbox"/> NO FUNDS AVAILABLE TO PROCEED <input type="checkbox"/> EVALUATING CLEANUP ALTERNATIVES                                                                                                                                                                   |                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                  |                                                                                                                                                                                                                                |
|                                                                       | CHECK APPROPRIATE ACTION(S) (SEE BACK FOR DETAILS)<br><input type="checkbox"/> CAP SITE (CD) <input type="checkbox"/> EXCAVATE & DISPOSE (ED) <input type="checkbox"/> REMOVE FREE PRODUCT (FP) <input type="checkbox"/> ENHANCED BIO DEGRADATION (IT)<br><input type="checkbox"/> CONTAINMENT BARRIER (CB) <input type="checkbox"/> EXCAVATE & TREAT (ET) <input type="checkbox"/> PUMP & TREAT GROUNDWATER (GT) <input type="checkbox"/> REPLACE SUPPLY (RS)<br><input type="checkbox"/> TREATMENT AT HOOKUP (HU) <input type="checkbox"/> NO ACTION REQUIRED (NA) <input checked="" type="checkbox"/> OTHER (OT) see comments |                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                  |                                                                                                                                                                                                                                |
| COMMENTS                                                              | Remedial action pending further site investigation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                  |                                                                                                                                                                                                                                |

## INSTRUCTIONS

### EMERGENCY

Indicate whether emergency response personnel and equipment were involved at any time. If so, a Hazardous Material Incident Report should be filed with the State Office of Emergency Services (OES) at 2800 Meadowview Road, Sacramento, CA 95832. Copies of the OES report form may be obtained at your local underground storage tank permitting agency. Indicate whether the OES report has been filed as of the date of this report.

### LOCAL AGENCY ONLY

To avoid duplicate notification pursuant to Health and Safety Code Section 25180.7, a designated government employee should sign and date the form in this block. A signature here does not mean that the leak has been determined to pose a significant threat to human health or safety, only that notification procedures have been followed if required.

### REPORTED BY

Enter your name, telephone number, and address. Indicate which party you represent and provide company or agency name.

### RESPONSIBLE PARTY

Enter name, telephone number, contact person, and address of the party responsible for the leak. The responsible party would normally be the tank owner.

### SITE LOCATION

Enter information regarding the tank facility and surrounding area. At a minimum, you must provide the facility name and full address.

### IMPLEMENTING AGENCIES

Enter names of the local agency and Regional Water Quality Control Board involved.

### SUBSTANCES INVOLVED

Enter the name and quantity lost of the hazardous substance involved. Room is provided for information on two substances if appropriate. If more than two substances leaked, list the two of most concern for cleanup.

### DISCOVERY/ABATEMENT

Provide information regarding the discovery and abatement of the leak.

### SOURCE/CAUSE

Indicate source(s) of leak. Provide details on tank age; capacity and material if known. Check box(es) indicating cause of leak.

### CASE TYPE

Indicate the case type category for this leak. Check one box only. Case type is based on the most sensitive resource affected. For example, if both soil and ground water have been affected, case type will be "Ground Water". Indicate "Drinking Water" only if one or more municipal or domestic water wells have actually been affected. A "Ground Water" designation does not imply that the affected water cannot be, or is not, used for drinking water, but only that water wells have not yet been affected. It is understood that case type may change upon further investigation.

### CURRENT STATUS

Indicate the category which best describes the current status of the case. Check one box only. The response should be relative to the case type. For example, if case type is "Ground Water", then "Current Status" should refer to the status of the ground water investigation or cleanup, as opposed to that of soil.

IMPORTANT: THE INFORMATION PROVIDED ON THIS FORM IS INTENDED FOR GENERAL STATISTICAL PURPOSES ONLY AND IS NOT TO BE CONSTRUED AS REPRESENTING THE OFFICIAL POSITION OF ANY GOVERNMENTAL AGENCY

### REMEDIAL ACTION

Indicate which actions have been used to cleanup or remediate the leak. Descriptions of options follow:

- Cap Site - install horizontal impermeable layer to reduce rainfall infiltration.
- Containment Barrier - install vertical dike to block horizontal movement of contaminant.
- Excavate and Dispose - remove contaminated soil and dispose in approved site.
- Excavate and Treat - remove contaminated soil and treat (includes spreading or land farming).
- Remove Free Product - remove floating product from water table.
- Pump and Treat Groundwater - generally employed to remove dissolved contaminants.
- Enhanced Biodegradation - use of any available technology to promote bacterial decomposition of contaminants.
- Replace Supply - provide alternative water supply to affected parties.
- Treatment at Hookup - install water treatment devices at each dwelling or other place of use.
- No Action Required - incident is minor, requiring no remedial action.

COMMENTS - Use this space to elaborate on any aspects of the incident.

SIGNATURE - Sign the form in the space provided.

### DISTRIBUTION

If the form is completed by the tank owner or his agent, retain the last copy and forward the remaining copies in tact to your local tank permitting agency for distribution.

1. Original - Local Tank Permitting Agency
2. State Water Resources Control Board, Division of Water Quality, Underground Tank Program, P. O. Box 100, Sacramento, CA 95801
3. Regional Water Quality Control Board
4. County Board of Supervisors or designee to receive Proposition 65 notifications.
5. Owner/responsible party.



ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY



J. MICHAEL LEAHY, Agency Director

FIVE

470-27th Street, Third Floor  
Oakland, California 94612  
(415) 874-7237

December 24, 1987

Dennis Parfitt  
O.H. Materials  
3900 Industrial Blvd.  
West Sacramento, CA 95691

Subject: Underground Storage Tank Closure Plan, Former Grow  
Group Facility, 1001 42nd St., Emeryville, CA

Dear Mr. Parfitt:

Your ammended closure plan for the underground storage tank at the subject site has been approved. Please be advised that a plan of correction may be required should significant contamination be discovered.

Please notify this office at least 48 hours prior to soil/groundwater sampling. Should you have any questions regarding this matter please contact Lizabeth Rose, Hazardous Materials Specialist, at (415) 874-7237.

Sincerely,

Rafat Shahid, Chief,  
Hazardous Materials Division

RAS:LR:lr

cc: City of Emeryville Fire Department

O.H. Materials Corp.  
3900 Industrial Blvd.  
West Sacramento, CA 95691  
916-372-1331

 OHM

RECEIVED  
DEC 22 1987

HAZARDOUS WASTE/  
WASTE CONTROL

December 21, 1987

Ms. Lizabeth Rose  
Alameda County Health Care Services Agency  
470 27th Street, Room 322  
Oakland, CA 94612

Dear Ms. Rose:

RE: UGT Closure, Former Grow Group Facility, 1001 42nd  
Street, Emeryville, California

In response to your request for additional information  
regarding our closure plan, we are submitting the following  
information.

Disposal Site and Waste Hauler

The liquid contents of the UGT and the rinsate will be  
transported and treated by Solven Services, Inc., 1021  
Berryessa Road, San Jose, California 95133, EPA Number CAD  
059494310. ✓

Triple Rinsing and Verification

Triple rinsing will be performed using a high-pressure water  
laser. Verification that all residual hazardous materials  
have been removed will be performed by purging the tank with  
air and then monitoring the inside of the tank with an  
L.E.L. meter. Analyt?

CO<sub>2</sub>: Method and Amount

Carbon dioxide from CO<sub>2</sub> cylinders will be added to the tank  
via the tank fill pipe. Approximately 840 cubic feet (at  
atmospheric pressure) of CO<sub>2</sub> will be used.

We will amend our workplan per county requirements for  
concrete slurry for in-place closures.

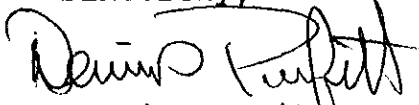
Ms. Elizabeth Rose

-2-

December 21, 1987

I hope this meets your informational needs. If you have any comments or need additional information, please call me at (916) 372-1331.

Sincerely,

A handwritten signature in cursive script, appearing to read "Dennis Parfitt".

Dennis Parfitt  
Senior Hydrogeologist  
CEG 1223

DP:sg

ALAMEDA COUNTY  
**HEALTH CARE SERVICES**

DAVID J. KEARS      AGENCY  
~~XXXXXXXXXX~~, Agency Director



470-27th Street, Third Floor  
Oakland, California 94612  
(415)874-7237

December 18, 1987

O.H. Materials Corp.  
3900 Industrial Blvd.  
W. Sacramento, CA 95691

RE: FORMER GROW GROUP FACILITY -1001 - 42nd St., Emeryville

Dear Firm:

Please find enclosed, the receipt for payment of deposit/fees for services rendered/to be rendered by the Department of Environmental Health Services/Hazardous Materials Division.

If you have any questions, please give me, Mary Newman Carter, a call at, 874-7237.

Sincerely,

Mary Newman Carter, Secretary  
Hazardous Materials Division

MNC:mnc

cc: Files

ALAMEDA COUNTY  
**HEALTH CARE SERVICES**

DAVID J. KEARS, AGENCY  
~~CARL NIXON~~ Agency Director



470 - 27th St., Rm. 322  
Oakland, CA 94612

Telephone Number:(415) 874-7237

December 15, 1987

Mr. Peter Coutts  
O.H. Materials Corporation  
3900 Industrial Blvd.  
West Sacramento, CA 95691

Subject: Underground Storage Tank Closure Plan  
Former Grow Group Facility  
1001 42nd St., Emeryville, CA

Dear Mr. Coutts:

Your closure plan as submitted for the underground storage tank at the subject site has been reviewed. Please submit the additional information as requested below:

1. Proposed disposal site of the liquid contents removed from the tank and rinsate material. Name of contractor removing same.
2. Method of triple rinsing the tank and verification that the tank has been cleaned of all residual hazardous materials.
3. Provide the method and amount of carbon dioxide used to inert the tank.
4. The County requires a concrete slurry mixture for in-place closure in lieu of your proposed silica sand slurry. Please ammend your plans to reflect this requirement.

After receiving and approving the changes to your ammended closure plan you may proceed with closure pending review of the soils reports.

Mr. Peter Coutts  
O.H. Materials Corp.  
West Sacramento, CA  
Page 2 Of 2

Should significant contamination be discovered a plan of correction will be required which may modify your proposed closure plan. Should you have any questions please contact Lizabeth Rose, Hazardous Materials Specialist at (415) 874-7237.

Sincerely,

*Rafat Shahid*  
Rafat Shahid, Chief,  
Hazardous Materials Division

RAS:LR:lr

cc: City of Emeryville Fire Department



O.H. Materials Corp.  
3900 Industrial Blvd.  
West Sacramento, CA 95691  
916-372-1331



OHM

November 23, 1987

Ms. Elizabeth Rose  
Hazardous Materials Specialist  
Alameda County Department of  
Environmental Health  
470 27th Street, Room 322  
Oakland, CA 94612

Dear Ms. Rose:

Enclosed is a check for \$300 to provide a deposit for review services of the tank closure plan submitted on November 11, 1987.

Sincerely,

Peter W. Coutts  
Project Hydrogeologist

PWC:sag

Enclosure



ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

CARL N. LESTER, Agency Director



470-27th Street, Third Floor  
Oakland, California 94612  
(415) 874-7237

HAZARDOUS WASTE GENERATOR  
INSPECTION AND COMPLIANCE REPORT

EPA I.D. # \_\_\_\_\_ DATE 9-10-87  
GENERATOR NAME/ADDRESS \_\_\_\_\_ CONTACT PERSON \_\_\_\_\_  
Oakland National Engraving \_\_\_\_\_ PHONE NUMBER \_\_\_\_\_  
1001 42nd St \_\_\_\_\_ PERSONS PRESENT \_\_\_\_\_  
Oakland Ca \_\_\_\_\_

AVERAGE GENERATION RATE (MONTHLY) \_\_\_\_\_

OBSERVATIONS: Hole for tank filled. Monitoring  
Well in place.

Samples Taken<sup>1</sup>: Yes  No  Plan of correction necessary: Yes  Due Date \_\_\_\_\_ No   
Authorized Representative of Firm: \_\_\_\_\_ Authorized Representative of Alameda County:  
Name \_\_\_\_\_ Name Edgar B. Howell 111  
Title \_\_\_\_\_ Phone Number 874-7237  
Signature \_\_\_\_\_ Signature [Signature]  
Date \_\_\_\_\_ Date 9-10-87

<sup>1</sup>All samples will be taken in accordance with Section 25185, California Administrative Code, Division 20, Chapter 6.5

ALAMEDA COUNTY  
HEALTH CARE SERVICES



Dave Kears AGENCY  
Agency Director

470-27th Street, Third Floor  
Oakland, California 94612  
(415) 874-7237

SITE ID 805  
NAME OAKLAND National Engineering  
ADDRESS 1001 12th ST

DATE 9-14-87  
PHONE \_\_\_\_\_  
EPA ID \_\_\_\_\_  
CITY/ZIP \_\_\_\_\_

The marked items represent violations of the Calif. Administrative Code:  
General

- |                       |       |                                          |
|-----------------------|-------|------------------------------------------|
| 1. [ ] Application    | 66428 | Comments: _____                          |
| 2. [ ] Insurance      | 66428 | _____                                    |
| 3. [ ] Cert. of Comp  | 66448 | _____                                    |
| 4. [ ] CHP Insp       | 66448 | _____                                    |
| 5. [ ] Containers     | 66465 | <u>installing monitoring well for</u>    |
| 6. [ ] Vehicles       | 66465 | <u>solvent tank.</u>                     |
| Manifest              |       |                                          |
| 7. [ ] EPA ID #'s     | 66531 | _____                                    |
| 8. [ ] Correct        | 66541 | <u>floating product on water</u>         |
| 9. [ ] HW Delivery    | 66543 | _____                                    |
| 10. [ ] Records       | 66544 | _____                                    |
| Containers            |       |                                          |
| 11. [ ] Name          | 66545 | <u>Used pads to absorb waste product</u> |
| 12. [ ] Covers        | 66545 | <u>+ install on</u>                      |
| 13. [ ] Recyclables   | 66800 | _____                                    |
| Prevention            |       |                                          |
| 14. [ ] Communica     | 67121 | _____                                    |
| 15. [ ] Aisle space   | 67124 | _____                                    |
| 16. [ ] Local Emer    | 67126 | <u>Pumped out by H+H vacuum</u>          |
| 17. [ ] Maintenance   | 67120 | <u>truck hauled under manifest</u>       |
| 18. [ ] Training      | 67105 | <u>pads inadequate</u>                   |
| Contingency           |       |                                          |
| 19. [ ] Prepared      | 67140 | _____                                    |
| 20. [ ] Name List     | 67141 | _____                                    |
| 21. [ ] Copies        | 67141 | _____                                    |
| 22. [ ] EmerCoortng   | 67144 | <u>hole filled w/ pea gravel</u>         |
| Containers, Tanks     |       |                                          |
| 23. [ ] Condition     | 67241 | <u>Monitoring well installed</u>         |
| 24. [ ] Compatibility | 67242 | <u>at 3:45 pm</u>                        |
| 25. [ ] Maintenance   | 67243 | _____                                    |
| 26. [ ] Inspection    | 67244 | _____                                    |
| 27. [ ] Buffer zone   | 67246 | _____                                    |
| 28. [ ] Tank Insp     | 67259 | _____                                    |
| 29. [ ] Closure       | 67260 | _____                                    |
| 30. [ ] Safe Store    | 67261 | _____                                    |
| 31. [ ] Freeboard     | 67257 | _____                                    |
| 33. [ ] Other         | _____ | _____                                    |

CONTACT PERSON \_\_\_\_\_

TITLE \_\_\_\_\_

SIGN \_\_\_\_\_

INSPECTOR Edgar B. Howell III

SIGN EB Howell



File  
ONE

August 12, 1987

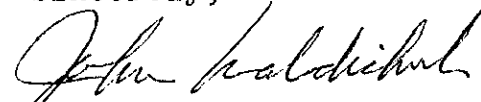
Mr. Rafat A. Shahid, Chief  
Hazardous Materials Division  
Alameda County Health Care Services  
470 - 27th Street, Third Floor  
Oakland, CA 94612

Dear Mr. Shahid:

Thank you for your letter of August 10, 1987. After a telephone discussion of the matter with Mr. Howell, it was agreed that a water monitoring well would be placed adjacent to the sidewalk on 41st Street. The shaft is to extend 5 feet below the water table level with a minimum I.D. of 3". Of course the portion below the water level would be slotted to allow for water penetration.

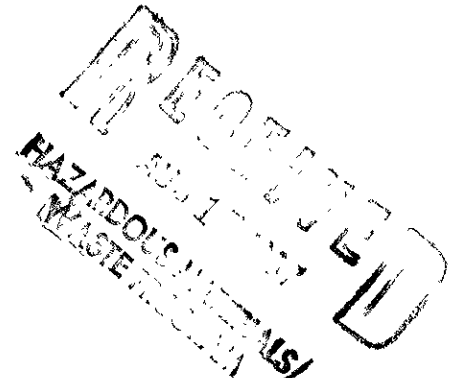
The overall plan has been discussed with the Contractor and he has advised that he will be proceeding with the sinking of the water monitoring well and the filling of the pit within a week or two. He is aware to advise Mr. Howell at the time of sinking the test well should Mr. Howell wish to inspect the process.

Sincerely,

  
John Waldichuk

JW:tt

cc: E. B. Howell, D.O.H.S.  
J. Mendrin, 4-M Construction



ALAMEDA COUNTY  
HEALTH CARE SERVICES

DAVID J. KEARS, AGENCY  
~~XXXXXXXXXXXX~~, Agency Director



470-27th Street, Third Floor  
Oakland, California 94612  
(415) 874-7237

August 10, 1987

Oakland National Engraving  
P. O. Box 8277  
Emeryville, CA 94662  
Attention: Mr. John Waldichuck

Dear Mr. Waldichuck:

We are in receipt of lab analysis from APPL, Inc. of soils and water samples taken on June 25, 1987 of the area under the tank removed from your site at 42nd and Linden Sts., Oakland.

The results submitted to us indicated that the soil is relatively free of contaminants and the pit can be filled with clean soil as the area in question is flushed by tidal action. After consultation with Mr. Kazemi, RWQCB, it is required that you install a water monitoring well. The results of lab analysis of water from the well will give information to evaluate whether or not remedial action for cleaning of the underground water strata is required. Lab analysis from a certified lab must be sent to both this office and RWQCB.

If you have any questions, please contact Edgar B. Howell, Senior Hazardous Materials Specialist at 874-7237.

Sincerely,

Rafat A. Shahid, Chief  
Hazardous Materials Division

RAS:mam

cc: Dwight Hoenig, DOHS  
Gil Jensen, Alameda County District Attorney, Consumer and  
Environmental Protection Agency  
M. H. Kazemi, RWQCE  
4-M Construction, 11855 Road 29, Madera CA 93637



4  
**CONSTRUCTION**

(209) 673-2228

11855 RD 29 • MADERA, CA 93637

July 21, 1987

**RECEIVED**  
JUL 2 1987

**HAZARDOUS MATERIALS/  
WASTE PROGRAM**

Dept. of Environmental Health  
Hazardous Waste Division  
470 27th Street  
Oakland, CA 94612

Re: Test Results

Enclosed are a copies of soil test completed for Oakland National Engraving job site 42nd & Linden St., Oakland.

Please advise as to contamination. Mr. Howell left a letter in anticipation of a clean site so that we can proceed. If the site is considered clean, please contact Mr. John Waldichuk, (415)-652-9005.

Thank you,

A handwritten signature in cursive script that reads "Debbie Warthen".

Debbie Warthen

enc.

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

CARL N. LESTER, Agency Director



470-27th Street, Third Floor  
Oakland, California 94612  
(415) 874-7237

HAZARDOUS WASTE GENERATOR  
INSPECTION AND COMPLIANCE REPORT

EPA I.D. # \_\_\_\_\_

DATE 6-25-87

GENERATOR NAME/ADDRESS \_\_\_\_\_

CONTACT PERSON \_\_\_\_\_

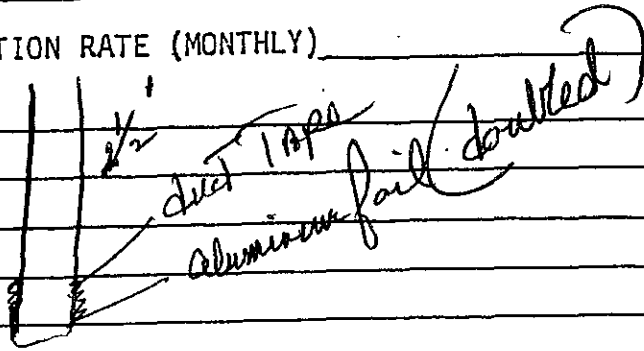
OAK NAT'L Engraving  
1001 42nd  
Oakland

PHONE NUMBER \_\_\_\_\_

PERSONS PRESENT \_\_\_\_\_

AVERAGE GENERATION RATE (MONTHLY) \_\_\_\_\_

OBSERVATIONS:



Lower than water 18" deep -  
Soil sample taken 2-3' depth into hard soil

Tank had contained paint thinner  
a sample has been obtained of contents  
fingerprint if any in soil. & T.P.H.

Samples Taken<sup>1</sup>: Yes  No  Plan of correction necessary: Yes  Due Date \_\_\_\_\_ No

Authorized Representative of Firm:  
Name \_\_\_\_\_  
Title \_\_\_\_\_  
Signature \_\_\_\_\_  
Date \_\_\_\_\_

Authorized Representative of Alameda County:  
Name Edgar B. Howell 111  
Phone Number 874-7237  
Signature EB Howell  
Date \_\_\_\_\_

<sup>1</sup>All samples will be taken in accordance with Section 25185, California Administrative Code, Division 20, Chapter 6.5

ALAMEDA COUNTY  
HEALTH CARE SERVICE



DAVID KEARS

AGENCY  
Agency Director

GENERATOR

470-27th Street, Third Floor  
Oakland, California 94612  
(415)

SITE ID  
NAME *OAKLAND Water Engraving*  
ADDRESS *1001 42nd ST*

DATE *6-18-87*  
PHONE  
EPA ID  
CITY/ZIP *OAKLAND 94608*

The marked items represent violations of the Calif. Administrative Code:  
General

- 1.  Waste ID 66471 Comments: \_\_\_\_\_
  - 2.  EPA ID's 66472 \_\_\_\_\_
  - 3.  >90 day Stor 66508 \_\_\_\_\_
  - 4.  Labels 66504 \_\_\_\_\_
  - 5.  Biennial RPT 66493 \_\_\_\_\_
  - 6.  Records 66492 \_\_\_\_\_
- Manifest
- 7.  Correct 66480 \_\_\_\_\_
  - 8.  Copies sent 66484 \_\_\_\_\_
  - 9.  Except RPT 66484 \_\_\_\_\_
  - 10.  Copies Rec 66492 \_\_\_\_\_
- Misc
- 11.  Treatment 66371 \_\_\_\_\_
  - 12.  On-site Disp H&S 25189.5 \_\_\_\_\_
  - 13.  ExHazWaste 66570 \_\_\_\_\_
- Prevention
- 14.  Communica 67121 \_\_\_\_\_
  - 15.  Aisle space 67124 \_\_\_\_\_
  - 16.  Local Emer 67126 \_\_\_\_\_
  - 17.  Maintenance 67120 \_\_\_\_\_
  - 18.  Training 67105 \_\_\_\_\_
- Contingency
- 19.  Prepared 67140 \_\_\_\_\_
  - 20.  Name List 67141 \_\_\_\_\_
  - 21.  Copies 67141 \_\_\_\_\_
  - 22.  EmerCoorTng 67144 \_\_\_\_\_
- Containers, Tanks
- 23.  Condition 67241 \_\_\_\_\_
  - 24.  Compatibility 67242 \_\_\_\_\_
  - 25.  Maintenance 67243 \_\_\_\_\_
  - 26.  Inspection 67244 \_\_\_\_\_
  - 27.  Buffer zone 67246 \_\_\_\_\_
  - 28.  Tank Insp 67259 \_\_\_\_\_
  - 29.  Closure 67260 \_\_\_\_\_
  - 30.  Safe Store 67261 \_\_\_\_\_
  - 31.  Freeboard 67257 \_\_\_\_\_
  - 32.  Other \_\_\_\_\_

*(2) Soil sample - 2' below bottom of tank area*

*Sample of contents -*

*Fingerprint - soil to contents*

*Results to be sent to Ed Howell prior to refilling of excavations*

*Please call for sampling lines.*

CONTACT PERSON \_\_\_\_\_  
TITLE *Asst. Dir.*  
SIGN \_\_\_\_\_

INSPECTOR Edgar B. Howell 111  
SIGN *EB Howell*

ALAMEDA COUNTY  
HEALTH CARE SERVICES

DAVID J. KEARS AGENCY  
~~XXXXXXXXXXXX~~, Agency Director



470-27th Street, Third Floor  
Oakland, California 94612  
(415) 874-7237

May 28, 1987

Oakland National Engraving  
P.O. Box 8277  
Emeryville, CA 94662

ATTENTION: MR. JOHN WALDICHUK

Dear Mr. Waldichuk:

We are in receipt of the lab analysis from TAL, dated 4/3/87 and APPL, dated 5/20/87.

These analysis for total hydrocarbons, BTX and Methods 8010 and 8020, indicate there is no water contamination from the materials for which the water was tested.

The tank contents, if they exist, must be checked for hazardous characteristics prior to removal and disposal. If they are found to be hazardous, the tank will have to either, be cleaned on site or hauled as hazardous waste, to an approved disposal site. Emeryville Fire Department should be notified prior to the removal of the tank.

If you have any questions, please contact Edgar B. Howell, Senior Hazardous Materials Specialist, at 874-7237.

Sincerely,

*Rafat A. Shahid*

Rafat A. Shahid, Chief,  
Hazardous Materials Program

RAS:mnc

cc: RWQCB  
Jack Mendrin, 4M Construction





DATE: 4/3/87

LOG NO.: 4527

DATE SAMPLED: 3/2/87

DATE RECEIVED: 3/2/87

CUSTOMER: 4-M Construction

REQUESTER: Jack Mendrin

PROJECT: Oakland National Engraving

| <u>Method and<br/>Constituent</u> | <u>Units</u> | <u>Sample Type: Water</u>  |              |
|-----------------------------------|--------------|----------------------------|--------------|
|                                   |              | <u>Detection<br/>Limit</u> | <u>Water</u> |
| EPA Method 8010:                  |              |                            |              |
| All Constituents                  | mg/l         | 0.003                      | < 0.003      |
| EPA Method 8020:                  |              |                            |              |
| All Constituents                  | mg/l         | 0.6                        | < 0.6        |

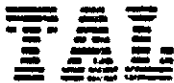
This sample was high in volatile aromatic compounds, requiring a 100:1 dilution of the sample. This causes the detection limit to be higher than usual.

*evidence of medium wt hydrocarbons were  
in sample*

*Roland X. Tao*  
 for Roland X. Tao  
 Supervisory Chemist

RXT:t1h

*file ORAC Nat'l Engring*



DATE: 4/3/87  
LOG NO.: 4527  
DATE SAMPLED: 3/2/87  
DATE RECEIVED: 3/2/87

CUSTOMER: 4-M Construction  
REQUESTER: Jack Mendrin  
PROJECT: Oakland National Engraving

| <u>Method and Constituent</u> | <u>Units</u> | <u>Sample Type: Water</u> |              |
|-------------------------------|--------------|---------------------------|--------------|
|                               |              | <u>Detection Limit</u>    | <u>Water</u> |
| EPA Method 8010:              |              |                           |              |
| All Constituents              | mg/l         | 0.003                     | < 0.003      |
| EPA Method 8020:              |              |                           |              |
| All Constituents              | mg/l         | 0.6                       | < 0.6        |

This sample was high in volatile aromatic compounds, requiring a 100:1 dilution of the sample. This causes the detection limit to be higher than usual.

RECEIVED  
APR 25 1987  
LABORATORY  
RXT:t1h

*Roland X. Tao*  
for Roland X. Tao  
Supervisory Chemist

*This Regarding 1001 42<sup>nd</sup> St, per our phone conversation 4-16-87*

# APPL, INC.

AGRICULTURE & PRIORITY POLLUTANTS LABORATORIES, INC.

4167 NORTH MOTEL DRIVE, SUITE 102 • FRESNO, CALIFORNIA 93722 • PHONE (209) 275-2175

4 M Construction  
11855 Rd 29  
Madera, California 93627  
Attn: Jack Mendrin

Sample Date: 05/13/87  
Report Date: 05/20/87

Sample I.D. No: MCD 020

Date Received: 05/13/87

APPL Sample No: A005-14090W

Date Extracted: 05/18/87

Modified Method 602 (Plus THC) Results:

| <u>Compound</u>    | <u>Concentration µg/l</u> | <u>Detection limit µg/l</u> |
|--------------------|---------------------------|-----------------------------|
| Benzene            | ND*                       | 0.50                        |
| Toluene            | ND                        | 0.50                        |
| Xylenes            | ND                        | 1.0                         |
| Total hydrocarbons | ND                        | 50.0                        |

WESTERN ENGINEERING  
10700 N. 10TH ST. SUITE 100  
FRESNO, CA 93722

18510 3/21/87  
01  
01/20/87

\* ND = None Detected

Tested By *[Signature]*  
Checked By Pamela Cooper

*These are the records that taken from <sup>old</sup> National Engineering  
Please call me on what to do was Jack Mendrin  
209 673-2228*

# APPL, INC.

AGRICULTURE & PRIORITY POLLUTANTS LABORATORIES, INC.

4167 NORTH MOTEL DRIVE, SUITE 102 • FRESNO, CALIFORNIA 93722 • PHONE (209) 275-2175  
4M Construction Sample Date: 06/25/87  
11855 Road 29 Report Date: 07/14/87  
Madera, California 93637  
Attn: Jack Mendrin Page 1 of 2

Sample I.D. No: Oakland National Engraving #1 Date Received: 06/26/87  
APFL Sample No: A005-147048 Date Extracted: 07/03/87

## Method 8020 Test Results:

| <u>Compound</u>     | <u>Concentration mg/kg</u> | <u>Detection limit mg/kg</u> |
|---------------------|----------------------------|------------------------------|
| Benzene             | 0.07                       | 0.05                         |
| Chlorobenzene       | ND*                        | 0.05                         |
| 1,2-Dichlorobenzene | ND                         | 0.05                         |
| 1,3-Dichlorobenzene | ND                         | 0.05                         |
| 1,4-Dichlorobenzene | NC                         | 0.05                         |
| Ethyl benzene       | ND                         | 0.05                         |
| Toluene             | 0.6                        | 0.05                         |
| Xylenes             | 17.6                       | 1.0                          |

Unidentified peaks present.

\* ND = None Detected

Tested By Lamela Cooper  
Checked By Diane Anderson

4M Construction  
11855 Road 29  
Madera, California 93637  
Attn: Jack Mendrin

Sample Date: 06/25/87  
Report Date: 07/14/87

Page 2 of 2

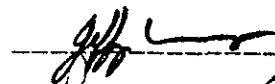
Sample I.D. No: Oakland National  
Engraving #1  
APPL Sample No: A005-147049

Date Received: 06/26/87  
Date Extracted: 07/03/87

Additional Test Results:

| <u>Compound</u>    | <u>Concentration mg/kg</u> | <u>Detection limit mg/kg</u> |
|--------------------|----------------------------|------------------------------|
| Total Hydrocarbons | 6.5                        | 5.0                          |

Tested By



Checked By



# APPL, INC.

AGRICULTURE & PRIORITY POLLUTANTS LABORATORIES, INC.

4167 NORTH MOTEL DRIVE, SUITE 102 • FRESNO, CALIFORNIA 93722 • PHONE (209) 275-2175  
4M Construction Sample Date: 06/23/87  
11855 Road 29 Report Date: 07/14/87  
Madera, California 93637  
Attn: Jack Mendrin Page 1 of 2

Sample I.D. No: Oakland National Engraving #2 Date Received: 06/26/87  
APPL Sample No: A005-14705S Date Extracted: 07/03/87

## Method 8020 Test Results:

| <u>Compound</u>     | <u>Concentration mg/kg</u> | <u>Detection limit mg/kg</u> |
|---------------------|----------------------------|------------------------------|
| Benzene             | ND*                        | 0.05                         |
| Chlorobenzene       | ND                         | 0.05                         |
| 1,2-Dichlorobenzene | ND                         | 0.05                         |
| 1,3-Dichlorobenzene | ND                         | 0.05                         |
| 1,4-Dichlorobenzene | ND                         | 0.05                         |
| Ethyl benzene       | ND                         | 0.05                         |
| Toluene             | 0.6                        | 0.05                         |
| Xylenes             | 4.3                        | 1.0                          |

Unidentified peaks present.

\* ND = None Detected

Tested By Patricia Cooper  
Checked By Diane Anderson

4M Construction  
11855 Road 29  
Madera, California 93637  
Attn: Jack Mendrin

Sample Date: 06/25/87  
Report Date: 07/14/87


Page 2 of 2

Sample I.D. No: Oakland National  
Engraving #2  
APPL Sample No: A005-147058

Date Received: 06/26/87  
Date Extracted: 07/03/87

Additional Test Results:

| <u>Compound</u>    | <u>Concentration mg/kg</u> | <u>Detection limit mg/kg</u> |
|--------------------|----------------------------|------------------------------|
| Total Hydrocarbons | 43.5                       | 5.0                          |

Tested By   
Checked By Pamela Cooper

# APPL, INC.

AGRICULTURE & PRIORITY POLLUTANTS LABORATORIES, INC.

4167 NORTH MOTEL DRIVE, SUITE 102 • FRESNO, CALIFORNIA 93722 • PHONE (209) 275-2175

4 M Construction  
11855 Rd 29  
Madera, California 93537  
Attn: Jack Mendrin

Sample Date: 05/13/87  
Report Date: 05/20/87

Sample I.D. No: MCD 020

Date Received: 05/13/87

APPL Sample No: A005-14090W

Date Extracted: 05/18/87

## Modified Method 602 (Plus THC) Results:

| <u>Compound</u>    | <u>Concentration µg/l</u> | <u>Detection limit µg/l</u> |
|--------------------|---------------------------|-----------------------------|
| Benzene            | ND*                       | 0.50                        |
| Toluene            | ND                        | 0.50                        |
| Xylenes            | ND                        | 1.0                         |
| Total hydrocarbons | ND                        | 50.0                        |

\* ND = None Detected

Tested By   
Checked By Lamela Cooper



# APPL, INC.

AGRICULTURE & PRIORITY POLLUTANTS LABORATORIES, INC.

4167 NORTH MOTEL DRIVE, SUITE 102 • FRESNO, CALIFORNIA 93722 • PHONE (209) 275-2175

4M Construction  
11855 Road 29  
Madera, California 93637  
Attn: Jack Mendrin

Sample Date: 06/25/87  
Report Date: 07/14/87

Page 1 of 1

Sample I.D. No: Oakland National  
Engraving-Water  
APPL Sample No: A005-14706W

Date Received: 06/26/87  
Date Extracted: 07/03/87

## Method 602 Test Results:

| <u>Compound</u>     | <u>Concentration µg/l</u> | <u>Detection limit µg/l</u> |
|---------------------|---------------------------|-----------------------------|
| Benzene             | 22                        | 0.5                         |
| Chlorobenzene       | ND*                       | 0.5                         |
| 1,2-Dichlorobenzene | ND                        | 0.5                         |
| 1,3-Dichlorobenzene | ND                        | 0.5                         |
| 1,4-Dichlorobenzene | ND                        | 0.5                         |
| Ethyl benzene       | 140                       | 0.5                         |
| Toluene             | 270                       | 0.5                         |
| Xylenes             | 1540                      | 1.0                         |

\* ND = None Detected

Tested By Pamela Cooper  
Checked By Diane Anderson

**ES**

**ENGINEERING-SCIENCE, INC.**

RESEARCH AND DEVELOPMENT  
LABORATORY  
600 BANCROFT WAY  
BERKELEY, CALIFORNIA 94710  
(415) 841-7353

ENGINEERING SCIENCE INC.  
07/06/88

PAGE 1

ANALYSIS REPORT

WORK ORDER NUMBER: 700  
JOB NUMBER : ZB0000000267  
WORK ORDER DATE : 06/17/88

APPROVED BY



Lab Supervisor

REPORT DATA:  
OAKLAND NATIONAL ENGRAVING  
P.O. BOX 8277  
EMERYVILLE, CA 94662  
P. TRUSKIER

CLIENT DATA:  
OAKLAND NATIONAL ENGRAVING ( 44)  
P.O. BOX 8277  
EMERYVILLE, CA 94662

# OF REPORT COPIES: 1

CONTRACT / FD # : 6843  
CONTACT : P. TRUSKIER  
(415)-652-9005

1001 42nd ST

TASK: 3, UNITS: mg/L

WELL WATER  
6-17-88  
88061154

SD 805

TEST COMPOUND

-----  
418.1 PETROLEUM HYDROCARBONS

-----  
2.0

**ES****ENGINEERING-SCIENCE, INC.**RESEARCH AND DEVELOPMENT  
LABORATORY  
600 BANCROFT WAY  
BERKELEY, CALIFORNIA 94710  
(415) 841-7353ENGINEERING SCIENCE INC.  
07/06/88

PAGE 2

## ANALYSIS REPORT

WORK ORDER NUMBER: 700  
JOB NUMBER : ZB0000000267  
WORK ORDER DATE : 06/17/88

APPROVED BY

NW Binston  
Lab SupervisorREPORT DATA:  
OAKLAND NATIONAL ENGRAVING  
P.O. BOX 8277  
EMERYVILLE, CA 94662  
P. TRUSKIERCLIENT DATA:  
OAKLAND NATIONAL ENGRAVING ( 44)  
P.O. BOX 8277  
EMERYVILLE, CA 94662

# OF REPORT COPIES: 1

CONTRACT / PO # : 6843  
CONTACT : P. TRUSKIER  
(415)-652-9005

TASK: 4, UNITS: ug/L, GROUP 602

WELL WATER  
6-17-88  
88061154

TEST COMPOUND

|                      |     |
|----------------------|-----|
| BENZENE              | ND  |
| CHLOROBENZENE        | ND  |
| 1,2-DICHLOROBENZE NE | ND  |
| 1,3-DICHLOROBENZE NE | ND  |
| 1,4-DICHLOROBENZE NE | ND  |
| ETHYL BENZENE        | 9.6 |
| TOLUENE              | ND  |

*White*

## Grow Group, Inc.

Pan Am Building  
200 Park Avenue  
New York, NY 10166  
(212) 599-4400  
TWX: 710-581-3686  
Telecopier: (212) 286-0940

P. O. Box 7600  
4000 Dupont Circle  
Louisville, KY 40207  
(502) 897-9861  
TWX: 810-535-3332  
Telecopier: (502) 897-9861

### Law Department

Please Reply to:  
 New York Office  
 Louisville Office

BY EXPRESS COURIER

January 6, 1987

L. Randolph Harris, Esq.  
McInerney & Dillon, P.C.  
One Kaiser Plaza - Suite 1850  
Oakland, Ca. 94612

Re: 1001 42nd St., Oakland, California 94662

Dear Mr. Harris:

With regard to your letter of December 1, 1986, please be advised that I did not acknowledge that our company, through its predecessor, Boysen Paint Co., committed to the removal of the tank in question.

It continues to be our belief that Ameritone management was first alerted to the existence of the tank by your client, or employees of your client, within a year or two following the Closing.

Were there a larger amount in controversy, we would very likely prefer to litigate this matter since the conflict between your facts and our facts is most troubling. Under the circumstances, however, we are prepared to settle this matter, but without any admission of liability on our part.

If you will contact me by telephone we can discuss the possibility of settlement in more detail. As a condition to any settlement, however, we would require your client to

L. Randolph Harris, Esq.

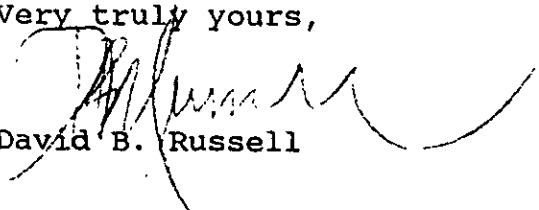
-2-

January 6, 1987

provide access to our representatives so that they can survey the location and condition of the tank in question.

I look forward to hearing from you.

Very truly yours,

  
David B. Russell

DBR/r

cc: J. Chanin, Esq.  
L. Frank, Esq.  
H. Jones (by Teletypewriter 1/7 A.M.)  
& regular mail

WILLIAM H. MCINERNEY  
HARADON M. DILLON  
TIMOTHY F. WINCHESTER  
ROBERT L. LESLIE  
RICHARD F. RENTON  
WILLIAM H. MCINERNEY, JR.  
L. RANDOLPH HARRIS  
MICHAEL E. LONDON  
RANDY O. WRIGHT  
FRANKLIN H. YAP  
MICHAEL D. VALE  
ROBERT G. ZELENKA  
ROSEMARY A. MACGUINNESS

LAW OFFICES  
**McINERNEY & DILLON**  
PROFESSIONAL CORPORATION  
ONE KAISER PLAZA - SUITE 1850  
OAKLAND, CALIFORNIA 94612

TELEPHONE 465-7100  
AREA CODE 415  
FAX (415) 465-8558

DECEMBER 1, 1986  
COUNSEL  
WESLEY B. HILLS  
LEGAL DEPT.

December 1, 1986

DEC - 1986

GROW GROUP, INC.  
NEW YORK

CERTIFIED MAIL NO. P 307 779 882  
RETURN RECEIPT REQUESTED

Mr. David B. Russell  
Grow Group, Inc.  
Pan Am Building  
200 Park Avenue  
New York, NY 10166

Re: 1001 - 42nd Street, Oakland, CA 94662

Dear Mr. Russell:

Thank you for your letter of November 25, 1986 concerning removal of the tank on the above property.

Thank you, also, for acknowledging that your company, through its predecessor, Boysen Paint Company, committed to the removal of the tank in question. Now it appears only to be a question of whether you will honor that commitment willingly or must be forced to honor the promise. Obviously, willing fulfillment of your obligation will be the least expensive course of action for your company, as well as the most graceful. Your decision as to how to proceed will determine how expensive and burdensome this obligation will be to your company. Be assured the end result will be the same regardless of which path you choose.

With regard to your statement that the commitment of Boysen Paint Company to remove certain tanks was a condition to closing and did not survive closing, your conclusion is erroneous. Boysen Paint Company utilized the subject tank and thus, through its employees and officers, was aware of the tank's existence. At the time of sale Boysen Paint Company specifically disclosed the existence of underground tanks in the loading dock area but failed to disclose the existence of the subject tank. Yet, the removal of unwanted tanks and the purchase of those tanks desired by my client was a material part of the contract. An action for recourse by my client, if necessary, will be based, alternatively, on the fraudulent failure to disclose the existence of the tank.

Mr. David B. Russell  
December 1, 1986  
Page 2

Your client's obligation was not extinguished by close of sale due to the material failure to disclose the existence of the tank. In the State of California an action for fraud has a three-year statute of limitation from the time of discovery.

My client was first made aware of the existence of the subject tank during April, 1986, by a former Boysen Paint Company employee, consulted to provide specific information on the size and location of the underground tanks in the loading dock area of the property. My client did not become aware of the existence of the tank "years ago" as stated in your letter. No defense based on laches exists.


With regard to your request for additional information, the tank has never been utilized by my client. At this time my client does not have any information regarding the cost of removal of the subject tank. Nor do they have information with respect to environmental contamination emanating from the tank. Further investigation to answer those questions will be undertaken at your expense.

My clients did receive an estimate of approximately \$15,000 for removal of the tanks in the loading dock area. That removal is scheduled for January, 1987. Obviously, the least expensive course of action for you will be to shoulder your responsibility immediately and try to coordinate removal of the subject tank as part of one project.

Please disclose at your earliest convenience your intention with regard to removal of the tank. If you wish to discuss this matter, please telephone.

Very truly yours,

McINERNEY & DILLON, P.C.

  
L. Randolph Harris

LRH:pr  
cc: Mr. and Mrs. Edward Kozel



# Grow Group, Inc.

*White*

## Law Department

Pan Am Building  
200 Park Avenue  
New York, NY 10166  
(212) 599-4400  
TWX: 710-581-3686  
Telecopier: (212) 286-0940

P.O. Box 7600  
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Louisville, KY 40207  
(502) 897-9861  
TWX: 810-535-3332  
Telecopier: (502) 897-9861

Please Reply to:  
 New York Office  
 Louisville Office

*Van Eff. Courice*

November 25, 1986

L. Randolph Harris, Esq.  
McInerny & Dillon  
1 Kaiser Plaza - Suite 1850  
Oakland, California 94612

Re: 1001 42nd St., Oakland, California 94662

Dear Mr. Harris:

Reference your letter dated November 7, 1986, copy enclosed.

It appears that the commitment of Boysen Paint Co. to remove certain tanks as set forth in paragraph 8(a)(iii) of the purchase agreement between Boysen Paint Co. and Edward R. Kozel and Elizabeth A. Kozel, was a condition to closing and did not survive the same. I am, however, by separate letter, requesting the attorney who represented Boysen to confirm this point.

In addition, it is my understanding that your client located the tank in question some years ago and did not request Ameritone (as successor to Boysen Paint Co.) to remove it at that time. Thus, even if the obligation to remove the tank was not waived at closing it may have been waived by lapse of time.

I have also been advised that Boysen/Ameritone management was not aware of the existence of such tank until it was discovered by your clients and reported to Ameritone some years ago.

I would appreciate it if you would advise 1) when the tank was discovered by your clients, 2) whether the tank has been



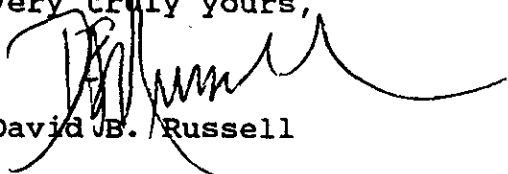
L. Randolph Harris, Esq.

-2-

November 25, 1986

utilized by your clients, 3) anticipated costs of removal and 4) any information with respect to environmental contamination emanating from such tank.

Very truly yours,



David B. Russell

DBR/r  
encl.

cc: L. Frank, Esq.  
E. Charney  
David A. Thompson, Esq.

WILLIAM H. MCINERNEY  
HARADON M. DILLON  
TIMOTHY F. WINCHESTER  
ROBERT L. LESLIE  
RICHARD F. RENTON  
WILLIAM H. MCINERNEY, JR.  
L. RANDOLPH HARRIS  
MICHAEL E. LONDON  
RANDY O. WRIGHT  
FRANKLIN H. YAP  
MICHAEL D. VALE  
ROBERT G. ZELENKA  
ROSEMARY A. MACGUINNESS

LAW OFFICES  
**McINERNEY & DILLON**  
PROFESSIONAL CORPORATION  
OROWAY BUILDING - ONE KAISER PLAZA  
OAKLAND, CALIFORNIA 94612

TELEPHONE 465-7100  
AREA CODE 415  
FAX (415) 465-8556

November 7, 1986

CERTIFIED MAIL NO. P 307 779 879  
RETURN RECEIPT REQUESTED

Grow Group, Inc.  
200 Park Avenue  
New York, NY 10166

Attention: Evelyn Charney  
Legal Administrator

Re: 1001 - 42nd Street, Oakland, California 94662

Dear Ms. Charney:

I received your letter of August 26, 1986 in response to my letter of August 11, 1986 to Boysen Paint Company. In your letter you stated that you are checking your file regarding the sale of the property and will respond to my letter as soon as possible.

Your response has been patiently awaited. However, in absence of any further correspondence by your office, I am forced to proceed to enforce my client's rights. Please contact me on or before November 15, 1986. Otherwise I must assume that you do not wish to accept your responsibility for removal of the tank and will seek my client's legal rights in the appropriate forum.

I await your response.

Very truly yours,  
McINERNEY & DILLON, P.C.

  
L. Randolph Harris

LRH:pr  
cc: Mr. and Mrs. Edward R. Kozel

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NOV 17 1986

200 PARK AVE., N.Y.  
GROW CORP. SEC.



## Grow Group, Inc.

Pan Am Building  
200 Park Avenue  
New York, NY 10166  
(212) 599-4400  
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4000 Dupont Circle  
Louisville, KY 40207  
(502) 897-9861  
TWX: 810-535-3332  
Telecopier: (502) 897-9861

### Law Department

Please Reply to:  
 New York Office  
 Louisville Office

August 26, 1986

L. Randolph Harris, Esq.  
McInerney & Dillon  
One Kaiser Plaza - Suite 1850  
Oakland, Calif. 94612

RE: 1001 42nd STREET, OAKLAND, CA. 94662

Dear Mr. Harris:

We are in receipt of your letter dated August 11, 1986, addressed to Boysen Paint Company c/o Ameritone Paint Corporation, Long Beach, California.

Please be advised that we are checking our files on the sale of this property and will response to your letter as soon as possible.

Thank you for your cooperation in this matter.

Very truly yours,

Evelyn Charney  
Legal Administrator

EC:sa

WILLIAM H. MCINERNEY  
HAROLD M. DILLON  
TIMOTHY F. WINCHESTER  
ROBERT L. LESLIE  
RICHARD F. RENTON  
WILLIAM H. MCINERNEY, JR.  
L. RANDOLPH HARRIS  
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LAW OFFICES  
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OAKLAND, CALIFORNIA 94612

TELEPHONE 465-7100  
AREA CODE 415  
FAX (415) 465-8556

August 11, 1986

CERTIFIED MAIL NO. P 535 463 520  
RETURN RECEIPT REQUESTED

Boysen Paint Company  
c/o Ameritone Paint Corporation  
P. O. Box 190  
Long Beach, California 90801

Attn: H. W. Beach  
Executive Vice President

RE: 1001 42nd Street, Oakland, CA 94662

Dear Mr. Beach:

I represent Edward R. Kozel and Elizabeth A. Kozel.

During May, 1981, my clients purchased from the Boysen Paint Company real property referred to as 1001 42nd Street, Oakland, California 94662. The real property is located in Oakland and Emeryville, California, between 41st Street and 42st Street and bounded by Linden Street. Enclosed is the Contract for Sale and Purchase of Real Property and Escrow Instructions, dated May 5, 1981 (hereinafter the Agreement) between my clients and Boysen Paint Company.

At the time of purchase it was agreed and the contract reflects that my clients were purchasing all of Seller's right, title and interest in and to the underground thinner tanks located on the property in the truck well loading area fronting on 41st Street. See paragraph 1(b) of the Agreement. Also, it was agreed that the Seller would, except as provided regarding the underground tanks located in the truck loading area, remove all tanks wherever located from the property. See paragraph 8(a)(iii) of the Agreement.

Recently my clients determined that it is necessary that the tanks located in the truck well loading area be removed. In order to determine the precise location of these tanks, a former Boysen Paint Company employee was contacted. In discussing the location of the tanks under

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AUG 18 1986

200 PARK AVE., N.Y.  
GROW CORP. SEC.

Boysen Paint Company  
August 11, 1986  
Page Two

the truck loading area, he made my clients aware that there is an additional tank located on the property. That tank is located on the 41st Street side of the property under the sidewalk between the 41st Street and the building on the property.

Pursuant to the terms of the Contract for the Sale and Purchase of the Property, it is the Seller's responsibility to remove this tank. Inasmuch as my clients are currently investigating the costs of removal, it is appropriate that you consider the removal of the tank in conjunction with my client's removal of the tanks from the truck well loading area.

Please contact me at your earliest convenience to discuss your wishes with regard to removal of the undisclosed tank from the property. I look forward to your response.

Very truly yours,  
McINERNEY & DILLON, P.C.

L. Randolph Harris

LRH:pr  
Enclosure

cc: Mr. and Mrs. Edward R. Kozel  
Mr. Lloyd Frank, ✓  
Grow Group, Inc.  
Mr. Robert R. Tufts,  
Petty, Andrews, Tufts & Jackson

