

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



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9-21-01

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

September 20, 2001  
RO 3/RO 80 ✓

Mr. Victor Lewkowitz  
Miller Packing  
201 2<sup>nd</sup> St.  
Oakland CA 94607

**Re: Request for Risk Management Plan for 201 and 206 2<sup>nd</sup> St., Oakland CA 94607**

Dear Mr. Lewkowitz:

As you are aware, our office is reviewing the referenced sites for regulatory site closure in regards to former underground storage tank fuel releases. Prior to making our recommendation, our office requires that you submit a Risk Management Plan (RMP) for each of these sites. The RMP should include items such as an appropriate health and safety plan for workers in the event contaminated soil or groundwater is encountered, proper handling and disposal of contaminated soil or groundwater, and the prevention of the installation of any drinking water or irrigation wells without County approval.

Please submit two copies of your Risk Management Plan, one for each site closure package.

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

Sincerely,

Barney M. Chan  
Hazardous Materials Specialist

C: B. Chan, files

Mr. J. Gribi, Gribi Associates, 1350 Hayes St., Suite C-14, Benicia, CA 94510

RMP201&206 2nd St

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



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

June 7, 2001  
StID #3700 and 5846

Mr. Victor Lewkowitz  
General Manager  
Miller Packing Company  
201 2<sup>nd</sup> St.  
Oakland CA 94607

**Re: Work Plan to Conduct Soil and Groundwater Investigation at Miller Quality Meats,  
201 and 206 2<sup>nd</sup> St., Oakland CA 94607**

Dear Mr. Lewkowitz:

Our office has received and reviewed the June 5, 2001 fax copy of the above referenced work plan for the two properties at 201 and 206 2<sup>nd</sup> St. as prepared by Mr. Jim Gribi of Gribi Associates. This work plan proposes up to eight (8) borings in the assumed down-gradient direction of the former gasoline and diesel tank and the collection of soil and groundwater samples for chemical analysis.

Our office has the additional requirements and concerns:

- The work plan suggests that your consultant may want to reduce the actual number of borings. Please do this with County consideration and concurrence. You may also wish to increase the number of borings based upon actual site conditions.
- The borings will be examined, logged and field screened. Please use an acceptable field screen instrument eg PID, FID instrument, for screening purposes to obtain an approximate TPH measurement. This measurement should be used to determine if the sample will be analyzed in the laboratory.
- The soil and groundwater samples adjacent to the former gasoline tank will be analyzed for TPH-G, BTEX and MTBE (8020). Please confirm any detected MTBE by GC/MS.
- The soil and groundwater samples adjacent to the former diesel tank should be analyzed for TPH as diesel/motor oil **and BTEX**. You should run the soil samples for polynuclear aromatics (PNAs) and run the water samples only if PNAs are detected in the soil samples.
- Our records indicate the removal of a 550 gallon gasoline tank from one of these sites on 11/89. Soil samples from the removal reported up to 180 ppm TPHg. In order to recommend closure for this tank, a boring must be advanced within the former tank pit and a groundwater sampled and tested for TPHg, BTEX and MTBE. You may be able to incorporate this boring as one of the eight originally proposed. Please confirm the location of the former 550 gallon gasoline tank and an appropriate boring location.

Mr. Victor Lewkowitz  
Miller Packing Company  
StID # 3700/5846  
June 7, 2001  
Page 2.

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

Sincerely,



Barney M. Chan  
Hazardous Materials Specialist

C: B. Chan, files

Mr. J. Gribi, 1350 Hayes St., Suite C-14, Benicia, CA 94510

Wpap201&206 2ndSt

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



04-2401

(9) (9)  
203 & 2080

April 18, 2001

StID #3700 and 5846

Mr. Victor Lewkowitz  
General Manager  
Miller Packing Company  
201 2<sup>nd</sup> Street  
Oakland CA 94607

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

**Re: Request for Technical Reports for Underground Tank Removals at 201 and 206 2<sup>nd</sup> St.,  
Oakland CA 94607, Miller Packing Company**

Dear Mr. Lewkowitz:

Our office has previously corresponded with Mr. Gary McGraw of your company in regards to the underground tank removals performed at 201 and 206 2<sup>nd</sup> St. Our office, on behalf of the San Francisco Regional Water Quality Control Board (SFRWQCB) is charged with overseeing the investigation and remediation of underground storage tank fuel releases. Our office has records indicating fuel releases to soil and groundwater from 1-550 gallon gasoline tank on 11/22/89 and from 1-500 gallon gasoline tank on 8/6/96 at 201 2<sup>nd</sup> St. and from 1-1000 gallon fuel oil tank at 206 2<sup>nd</sup> St. on 8/6/96. The tanks removed in 1996 were over-excavated and re-sampled. There is also an indication that the tank pit from the 1989 tank removal was also re-sampled. Residual levels of gasoline, BTEX and diesel remain in soil and/or groundwater, which require additional investigation.

On two separate occasions, September 10, 1996 and January 13, 1997, Mr. McGraw was requested to submit to our office a work plan to assess the extent of this petroleum contamination. I have enclosed a copy of each of these letters. To date, we have not received any reports or correspondence from you. **Please submit an appropriate work plan to determine the extent of soil and groundwater contamination from these former underground tanks to our office within 45 days or no later than June 6, 2001.**

The failure to submit the requested technical reports may subject Miller Packing Company to civil liability.

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

Sincerely,

Barney M. Chan  
Hazardous Materials Specialist

enclosures

C: B. Chan, files

Wprq201&206 2nd St

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



STID 3700      STID 5846  
✓ RO 3 AND RO 80

STID 3700/STID 5846

January 13, 1997

Miller Packing Company  
201/206 2nd Street  
Oakland, CA 94607  
Attn: Mr. Gary McGraw

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

Dear Mr. McGraw:

**“NOTICE OF VIOLATION”**

This letter serves to follow-up on a Alameda County Health Care Services Agency (ACHCSA) letter from myself dated September 10, 1996. **A preliminary site assessment (PSA) work plan was to be submitted to this office within 60 days of the date of this letter or no later than November 11, 1996.** A copy of my September 10, 1996 letter is enclosed for your review.

**At this time you are directed to submit a preliminary site assessment work plan within 30 days of the date of this letter or by February 14, 1996.**

Please be advised that failure to satisfy this request may result in the referral of this case to the Alameda County District Attorneys Office. Please be further advised that Section 25299(b) of the California Health and Safety Code, among other possible statutes, provides for civil penalties of up to \$5000 per tank per day for failure to comply with this directive.

**Please be advised that this letter constitutes a formal request for technical reports pursuant to California Water Code Section 13267(b) and Health and Safety Code Sections 25299.37 and 25299.78.**

In the event that you any questions, please feel free to contact me directly at (510)567-6880.

Sincerely,

Dale Klettke, CHMM  
Hazardous Materials

enclosure

c: Dale Klettke--files

Paul Ferreira, c/o Scott Company, 1717 Doolittle Drive, San Leandro, CA 94577-0655

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ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY



DAVID J. KEARS, Agency Director

201-2nd  
STID 3700  
✓R03

206-2nd  
STID 5846  
R080

STID 3700/STID 5846

September 10, 1996

Miller Packing Company  
201/206 2nd Street  
Oakland, CA 94607  
Attn: Mr. Gary McGraw

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

Dear Mr. McGraw:

This office is in receipt of and has completed review of the case files for these sites, up to and including the Scott Company "Analytical Results for 1 Water Sample and 7 Soil Samples" dated September 9, 1996.

The results of sample analysis and observations documented by Scott Company during the August 1996 overexcavation of contaminated soil from beneath the previous bunker C and gasoline underground storage tanks have been evaluated.

**206 2nd Street-Bunker C UST excavation:** Laboratory results of soil samples PF-1E and PF-1N revealed total petroleum hydrocarbons as diesel (TPHd) at concentrations of 5700 mg/kg and 9100 mg/kg, respectively.

**201 2nd Street-Gasoline UST excavation:** Laboratory results of soil samples PF-2W and PF-2S revealed total petroleum hydrocarbons as gasoline (TPHg) at concentrations of 310 mg/kg and 390 mg/kg-TPHg, respectively. "Grab" groundwater sample PW-2 detected TPHg and benzene, toluene, ethyl benzene and total xylenes (BTEX) at concentrations of 34,000, 71, 73, 140 and 84 ug/L (ppb), respectively.

A confirmed release from the USTs has occurred at these sites. The extent of petroleum hydrocarbon contamination is not adequately defined. Pursuant to provisions of Article 11, Title 23, California Code of Regulations (CCR), you are required to perform a preliminary site assessment (PSA) when a confirmed release from an UST has occurred. To facilitate this task, a PSA work plan must be submitted for review. **This work plan is due within 60 days of the date of this letter or no later than November 11, 1996.**

However, in order to pursue the pending PSA in a more cost-effective fashion, this office encourages you to first employ rapid site assessment tools (e.g. CPT, Geo Probe, Hydropunch, etc.) to qualitatively assess impacts before proposing final well locations.

A report must be submitted within 45 days of the completion of field activities associated with this phase of work at the site. The referenced reports must describe the status of the investigation and include, among other elements, the following:

Mr. Gary McGraw  
RE: 206 2nd Street, Oakland  
September 10, 1996  
Page 2 of 2

- Details and results of all work performed during the designated reporting period: records of field observations and data, boring and well construction logs, water level data, chain-of-custody forms, laboratory results for all samples collected and analyzed (including QA/QC data), tabulations of free product thicknesses and dissolved fractions, etc.
- Status of ground water contamination and characterization.
- Interpretation of results: water level contour maps showing gradients, free and dissolved product plume definition maps for each target compound, geologic cross sections, etc.
- Recommendations for additional work.

Pursuant to provisions of the Business and Professions Code all work and reports which require geologic or engineering evaluations and/or judgements must be performed under the direction of an appropriately registered or certified professional. Therefore, all proposals must be submitted under seal of a California-registered geologist or civil engineer with the appropriate environmental background.

**Please be advised that this letter constitutes a formal request for technical reports pursuant to California Water Code Section 13267(b) and Health and Safety Code Sections 25299.37 and 25299.78.**

For your information, the Underground Storage Tank Cleanup Fund (Fund) is created pursuant to Chapter 6.75 of the California Health & Safety Code to help eligible owners and operators of petroleum underground storage tanks obtain reimbursement for costs of the cleanup of unauthorized releases of petroleum. You are encouraged to contact the SWRCB fund representative (916/227-4529) for more case-specific information and to obtain an application package. Please also bear in mind that, in order to maintain UST clean-up fund eligibility, specific bidding requirements and contracting criteria must be met.

In the event that you any questions, please feel free to contact me directly at (510)567-6880.

Sincerely,



Dale Klettke, CHMM  
Hazardous Materials Specialist

c: Tom Peacock, LOP Manager--files  
Paul Ferreira, c/o Scott Company, 1717 Doolittle Drive, San Leandro, CA 94577-0655