

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



2097

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

August 26, 1999

Mr. Abdo Hussein
C/o Ronald Matlin, CPA
Merchants Bookkeeping & Tax Service
1880 Pleasant Valley Ave.
Oakland, CA 94611

RE: Gateway Liquors – 5944 San Pablo Avenue, Oakland, CA 94608;
StID 4897

Dear Mr. Hussein:

Your Leaking Underground Fuel Storage Tank Oversight Program case is ready to be referred to the Regional Water Quality Control Board for review for closure. However, before this can be done, current record fee title owners must be notified of the local agency's intention to issue a closure letter. You were previously requested to provide a list of current record fee title owners or certify that you are the sole landowner for the above site. If you are not the sole landowner, you must certify that you have notified all responsible landowners of the local agency's intention to issue a closure letter.

To date we have not received the information requested. A closure letter will not be issued until we receive notification from you of all fee title owners of the site. If you need another set of sample letters, I may be reached at (510) 567-6746.

Sincerely,


Don Hwang
Hazardous Materials Specialist

C: file

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R097

ENVIRONMENTAL HEALTH SERVICES

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

June 9, 1999

Mr. Abdo Hussein
C/o Ronald Matlin, CPA
Merchants Bookkeeping & Tax Service
1880 Pleasant Valley Ave.
Oakland, CA 94611

RE: Gateway Liquors - 5944 San Pablo Avenue, Oakland, CA 94608;
StID 4897

Dear Mr. Hussein:

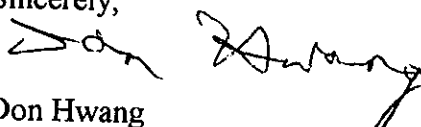
Previously, a work plan to determine the extent of the groundwater contamination at the subject site was requested from you. As this letter and the letter of March 25, 1999, stated, the extent of the groundwater contamination needs to be delineated. The latest report of subsurface investigation at the site, "Report of the Soil Boring Investigation... May 21, 1997", prepared by Century West Engineering Corp. indicated that soil and groundwater contamination was present. However, the extent of the groundwater contamination was not delineated.

Again, you need to submit a work plan to determine the extent of the groundwater contamination. The work plan is requested within 30 days.

You are advised that failure to comply with the request will result in referral of this case to the Alameda County District Attorney's Office. This letter constitutes a formal request for technical reports pursuant to California Water Code Section 13267(b) and Health and Safety Code Section 25299.37 and 25299.7. You are further advised that failure to comply may subject you to penalties of up to \$5000 per tank per day.

I may be reached at (510) 567-6746.

Sincerely,


Don Hwang
Hazardous Materials Specialist

C: file

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY

DAVID J. KEARS, Agency Director

Ro97

June 9, 1999

ENVIRONMENTAL HEALTH SERVICES

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

Ronald Matlin, CPA
Merchants Bookkeeping & Tax Service
1880 Pleasant Valley Ave.
Oakland, CA 94611

RE: Gateway Liquors – 5944 San Pablo Avenue, Oakland, CA 94608;
StID 4897

Dear Mr. Matlin:

Previously, a work plan to determine the extent of the groundwater contamination at the subject site was requested from Abdo Hussein. You indicated in your letter of April 20, 1999, that Mr. Hussein is out of the country for an extended period of time. As requested, copies of the January 7, 1999 letter were mailed and faxed to your office. As that letter and the letter of March 25, 1999, stated, the extent of the groundwater contamination needs to be delineated. The latest report of subsurface investigation at the site, "Report of the Soil Boring Investigation... May 21, 1997", prepared by Century West Engineering Corp. indicated that soil and groundwater contamination was present. However, the extent of the groundwater contamination was not delineated.

Thus far, we have not heard from Mr. Hussein or you. Again, Mr. Hussein needs to submit a work plan to determine the extent of the groundwater contamination. The work plan is requested within 30 days.

Failure to comply with the request will result in referral of this case to the Alameda County District Attorney's Office. This letter constitutes a formal request for technical reports pursuant to California Water Code Section 13267(b) and Health and Safety Code Section 25299.37 and 25299.7. Also, failure to comply may result in penalties of up to \$5000 per tank per day.

I may be reached at (510) 567-6746.

Sincerely,

Don Hwang
Hazardous Materials Specialist

C: file
Enclosure

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



RO017
ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION (LOP)
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
(510) 567-6700
FAX (510) 337-9335

May 21, 1999

Mr. Abdo Hussein
C/o Ronald Matlin, CPA
Merchants Bookkeeping & Tax Service
1880 Pleasant Valley Ave.
Oakland, CA 94611

RE: Gateway Liquors – 5944 San Pablo Avenue, Oakland, CA 94608;
StID 4897

Dear Mr. Hussein:

LANDOWNER NOTIFICATION AND PARTICIPATION REQUIREMENTS

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.

Mr. Hussein
Page 2 of 2
May 21, 1999

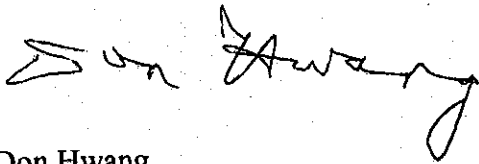
In accordance with Section 25297.15(a) of Ch. 6.7 of the Health & Safety Code, you must certify to the local agency that all current record owners of fee title to the site have been informed of the proposed action before the local agency may do any of the following:

- 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) 567-6746 should you have any questions about the content of this letter.

Sincerely,



Don Hwang
Hazardous Materials Specialist

Enclosures



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

NOTICE OF VIOLATION

March 25, 1999

Mr. Abdo Hussein
Gateway Liquors
5944 San Pablo Avenue
Oakland, CA 94608

RE: Gateway Liquors – 5944 San Pablo Avenue, Oakland, CA 94608;
StID 4897

Dear Mr. Hussein:

A letter dated January 7, 1999, requesting a work plan to determine the extent of the groundwater contamination, was sent to you. Thus far, we have not heard from you. Again, you are requested to submit a work plan to determine the extent of the groundwater contamination. Please submit a list of your proposed actions and a proposed schedule for implementation to this office within 2 weeks of the date of this letter.

You are advised that failure to comply with the request will result in referral of this case to the Alameda County District Attorney's Office. This letter constitutes a formal request for technical reports pursuant to California Water Code Section 13267(b) and Health and Safety Code Section 25299.37 and 25299.7. You are further advised that failure to comply may subject you to penalties of up to \$5000 per tank per day.

I may be reached at (510) 567-6746.

Sincerely,

Don Hwang
Hazardous Materials Specialist

C: Larry Blazer, Alameda County District Attorney's Office
Leroy Griffin, City of Oakland Fire Services Agency
Enclosure

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY
DAVID J. KEARS, Agency Director

RO#97

January 7, 1999

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

Mr. Abdo Hussein
5944 San Pablo Avenue
Oakland, CA 94608

RE: Gateway Liquors - 5944 San Pablo Avenue, Oakland, CA 94608; SUD 4897

Dear Mr. Hussein:

I'm the new case worker for the above referenced site. I have recently reviewed the case file. The last report submitted to this agency was the Report of the Soil Boring Investigation (May 21, 1997), prepared and submitted by Century West Engineering Corp.


Two underground storage tanks (USTs), a 500-gallon and 200-gallon used to contain heating oil were removed at the site on June 29, 1994. Soil samples collected beneath the tanks showed up to 17 ppm Total Petroleum Hydrocarbon (TPH) diesel, 600 ppm TPH gasoline and 160 ppm TPH kerosene. Benzene, toluene, ethyl benzene and xylene were not detected in the samples.

On May 9, 1997, one boring (1B-1) was drilled. Soil samples collected from the boring at 10 feet below ground surface (bgs) found up to 350 ppm TPH gasoline and 170 ppm TPH kerosene. Methyl tertiary butyl ether (MTBE) was not detected in any of the soil samples. Groundwater sample collected from the boring detected the following contaminants: 33 ug/L MTBE, 580 ug/L TPH gasoline, and 1,900 ug/L TPH kerosene.

Based on this review, the extent of the petroleum hydrocarbon contamination in the groundwater has not been fully defined. You are requested to submit a work plan to determine the extent of the groundwater contamination. Your work plan should be submitted to his office no later than March 7, 1999.

If you have any questions concerning this letter or the subject site, please contact me at (510) 567-6746.

Sincerely,


Don Hwang
Hazardous Materials Specialist

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R0#97

StId 4897/lop

April 30, 1997

ENVIRONMENTAL HEALTH SERVICES

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

Mr. Abdo Hussein
5944 San Pablo Ave
Oakland CA 94608

Subject: 5944 San Pablo Ave., Oakland CA 94608

Dear Mr. Hussein:

This office has received Centurywest's *Work Plan to Perform Soil Boring Investigation*, dated April 9, 1997, and revised site map, dated April 30, 1997, for the subject site. This work plan proposes to install one soil boring west of the former 500-gallon underground storage tank (UST) and to collect soil and groundwater samples. This work plan and revised site map are acceptable with the following comments or additions:

1. The proposed soil boring must be installed on the west side and no more than 10 feet from the former 500-gallon UST. Soil samples shall be collected every five feet, at any change in lithology, at any sign of contamination, and at the capillary fringe. The soil sample collected from the capillary fringe, as well as any samples that exhibit signs of contamination, must be analyzed for **TPH-gasoline, TPH-diesel, TPH-kerosene, BTEX, and Methyl Tertiary butyl Ether (MTBE)**.
2. A "grab" groundwater sample must also be collected and analyzed for the same suite of target compounds indicated above in bold.
3. Documentation and/or manifests regarding the fate of the stockpiled soil generated during tank removal activities that occurred in July 1994, must be included with the final report of this investigation.

Field work is to commence within the next 30 days. Please contact this office at least 72 hours in advance of field work. The final report documenting this investigation is due to this office no later than July 15, 1997. Please contact me at (510)567-6755 if you have questions.

Sincerely,

Amy Leech
Hazardous Materials Specialist

c: Attn: J. Glenn Morelli, Centurywest, 7950 Dublin Blvd, Suite 203, Dublin, CA 94568

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY
DAVID J. KEARS, Agency Director

R0#97

StId 4897
February 3, 1997

Mr. Abdo Hussein
5944 San Pablo Ave
Oakland CA 94608

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

NOTICE OF VIOLATION

Subject: Required investigations at 5944 San Pablo Ave., Oakland CA 94608

Dear Mr. Hussein:

On February 22 and March 16, 1995, the Alameda County Department of Environmental Health sent you letters requiring that you submit a Soil and Groundwater Site Assessment work plan to determine the vertical and lateral extent of soil and ground water contamination from past releases from the former 500-gallon underground storage tank (USTs) at the subject site. Please see attached a copy of those letters. In addition, this office met with you on March 14, 1995, to discuss the need for and direction of future site investigations. To this date, we have not received any communication from you on this matter. Therefore, this letter constitutes a Notice that you are in violation of specific laws to investigate and remediate this site.

Failure to furnish technical reports regarding documented or potential ground water contamination violates **Section 13267 (b) of the California Water Code**. The Regional Water Quality Control Board (RWQCB) can impose civil penalties of up to **\$1,000 per day** for each day in which this violation occurs.

You are required to submit the required work plan and all other information indicated below **no later than March 17, 1997**. Failure to respond will result in referral of this case to the RWQCB or Alameda County District Attorney's Office to consider for enforcement action. Modifications of required tasks or extensions of stated deadlines must be confirmed in writing by either this agency or RWQCB.

- 1) A Soil and Groundwater Site Assessment work plan to determine the vertical and lateral extent of soil and ground water contamination from past releases from the former 500-gallon underground storage tank.
- 2) Documentation and/or manifests regarding the fate of the stockpiled soil generated for the tank removals.
- 3) An Underground Storage Tank Unauthorized Release (leak)/Contamination Site Report (ULR). Enclosed is a blank ULR which must be completed and submitted to this office **no later than February 14, 1997**.

The review of environmental assessment/investigations for the subject site has been transferred from Susan Hugo to the undersigned of this office. Please call me at (510)567-6755 if you have questions.

Sincerely,

Amy Leech
Hazardous Materials Specialist

ATTACHMENTS

c: Kevin Graves, RWQCB
Gil Jensen, Alameda County District Attorney's Office
ALL-Files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, Assistant Agency Director

R097

March 16, 1995
STID# 4897

ALAMEDA COUNTY-ENV. HEALTH DEPT.
ENVIRONMENTAL PROTECTION DIV.
1131 HARBOR BAY PKWY., #250
ALAMEDA CA 94502-6577
(510)567-6700

Mr. Abdo Hussein
Gateway Liquors
5944 San Pablo Avenue
Oakland, California 94608

**RE: Removal of Two Underground Storage Tanks
5944 San Pablo Avenue, Oakland, California 94608**

Dear Mr. Hussein:

This letter documents the issues discussed during a meeting last March 14, 1995 with Mr. Hussein, your representative, concerning the removal of the two underground storage tanks at the referenced site.

The threat and /or impact to groundwater from the release associated with the former 500 gallon tank located at the back of the property must be investigated before the case can be closed. A soil boring maybe drilled within ten feet of the former tank excavation in the verified downgradient direction. Soil samples shall be collected every five feet and analyzed for target compounds such as TPH gasoline, TPH diesel, TPH kerosene, and BTEX. At a minimum one soil sample must be collected preferably at the soil/groundwater interface. A groundwater sample shall also be collected and analyzed for the same suite of target compounds.

The stockpiled soil generated from the tanks' removal must be characterized for reuse at the site or off-site disposal. Reuse of the soil must be approved by this agency.

Soil sample (SS-1) collected from the 300 gallon underground storage tank excavation at 8.5 feet depth found 24 ppm TPH kerosene, 4.4 ppm TPH diesel, nd TPH gasoline, and nd BTEX. Based on these results, no further work will be required regarding the 300 gallon tank removal underneath the sidewalk.

Your request for an extension of work plan submittal is approved. A work plan addressing all the items mentioned above must be submitted to this office **no later than May 31, 1995.**

Mr. Abdo Hussein
RE: 5944 San Pablo Avenue, Oakland 94608
March 16, 1995
Page 2 of 2

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.

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

Sincerely,



Susan L. Hugo
Senior Hazardous Materials Specialist

cc: Rafat A. Shahid, Director, Environmental Health
Kevin Graves, San Francisco Bay RWQCB
Gordon Coleman, Acting Chief, Environmental Protection
Division / agency file

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY

DAVID J. KEARS, Agency Director

RAFAT A. SHAHID, Assistant Agency Director

R097

February 22, 1995
STID# 4897

Alameda County CC4580
Environmental Protection Division
1131 Harbor Bay Parkway, Room 250
Alameda CA 94502-6577

Mr. Abdo Hussein
Gateway Liquors
5944 San Pablo Avenue
Oakland, California 94608

**RE: Removal of Two Underground Storage Tanks
5944 San Pablo Avenue, Oakland, California 94608**

Dear Mr. Hussein:

The Alameda County Department of Environmental Health, Environmental Protection Division has recently reviewed the case file concerning the removal of two underground storage tanks (1 - 300 gallon and 1 - 500 gallon) on June 29, 1994 at the referenced site. A tank removal report submitted by VCI dated July 24, 1994 states that the former tanks had historically contained heating oil fuels.

A soil sample (SS-1) collected at the bottom of excavation of the 300 gallon tank at approximately 8.5 feet depth found 24 ppm TPH kerosene, 4.4 ppm TPH diesel, nd TPH gasoline, nd for BTEX and 8 ppm TPH (unknown peaks in the gasoline range). The soil sample (SS-2) collected at the bottom of the excavation of the 500 gallon tank at approximately 9.5 feet depth detected 160 ppm TPH kerosene, 17 ppm TPH diesel, nd TPH gasoline, nd BTEX and 600 ppm TPH (unknown peaks in the gasoline range). It appeared that groundwater was present in the two excavation pits. However, no water samples were collected. It was also noted that the former 500 gallon tank had several visible holes.

Based on the review of the data collected to date, the threat and/or impact to groundwater of the former tank release at the site must be investigated before the case can be closed. You may address this issue by advancing a boring within ten feet for each former tank areas in the verified downgradient direction. At a minimum, one soil sample must be collected preferably at the soil / groundwater interface. Additionally, a groundwater sample shall also be collected. Both the soil and groundwater samples must be analyzed for the following target compounds: TPH gasoline, TPH diesel, TPH kerosene, benzene, ethyl benzene and xylene.

A work plan addressing all the items mentioned above must be submitted to this office **no later than April 14, 1995**. The result of this phase of the site investigation will determine if additional work will be required or the site can be recommended for case closure.

Mr. Abdo Hussein
RE: 5944 San Pablo Avenue, Oakland, CA 94608
February 22, 1995.
Page 2 of 2

An Underground Storage Tank Unauthorized Release (Leak) / Contamination Site Report (ULR) must be filed for the subject site. Enclosed is a blank ULR which must be completed and submitted to this office within five working days upon receipt of this letter.

Documentation of the disposal of the stockpiled soil must be provided to this department. Copies of disposal records maybe submitted together with the work plan.

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

Please be aware that this is a formal request 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.

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

Sincerely,



Susan L. Hugo
Senior Hazardous Materials Specialist

Enclosure

cc: Rafat A. Shahid, Director, Environmental Health
Kevin Graves, San Francisco Bay RWQCB
Edgar B. Howell, Chief, Environmental Protection Div. / file