

ALAMEDA COUNTY  
HEALTH CARE SERVICES

January 23, 2001

AGENCY

DAVID J. KEARS, Agency Director



01-24-01

20149

Andre Mercier  
551 Gardiner Beach Rd.  
Gardiner, WA 98382

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

Dear Mr. Mercier:

Subject: Catering by Andre, 434 - 25th St., Oakland, CA 94612;  
StId 5008

This letter transmits the enclosed underground storage tank (UST) case closure letter in accordance with Chapter 6.75 (Article 4, Section 25299.37[h]). The State Water Resources Control Board adopted this letter on February 20, 1997. As of March 1, 1997, the Alameda County Environmental Protection Division is required to use this case closure letter for all UST leak sites. We are also transmitting to you the enclosed case closure summary. These documents confirm the completion of the investigation and cleanup of the reported release at the subject site. The subject fuel leak case is closed.

**SITE INVESTIGATION AND CLEANUP SUMMARY**

Please be advised that the following conditions exist at the site:

- up to 210 ppm Total Petroleum Hydrocarbons as gasoline (TPHg), up to 6 ppm TPH as diesel (TPHd), up to 0.21 ppm Benzene, up to 0.20 ppm Toluene, up to 1.6 ppm Ethyl benzene, and up to 6.8 ppm Xylene (BTEX), exists in soil beneath the site. (sampled March 1994)
- up to 3,900 ug/l TPHg, up to 1,400 ug/l TPHd, up to 110 ug/l Benzene, up to 6.2 ug/l Toluene, up to 17 ug/l Ethyl benzene, and up to 37 ug/l Xylene (BTEX), exists in groundwater beneath the site. (sampled August 18, 1999)

If you have any questions, please contact me at (510) 567-6746.

Sincerely,

Don Hwang  
Hazardous Materials Specialist

Enclosures: 1. Remedial Action Completion Certificate 2. Case Closure Summary

C: Hernan Gomez, City of Oakland Fire Services Agency, Office of Emergency Services,  
Hazardous Materials Management Program, 505-14<sup>th</sup> St., 5<sup>th</sup> Floor, Oakland, CA 94612

Frank Kliewer, City of Oakland, Planning Dept., 1330 Broadway, 2<sup>nd</sup> Floor, Oakland, CA  
94612

file

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



01-05-01

20149

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

December 29, 2000

Andre Mercier  
551 Gardiner Beach Rd.  
Gardiner, WA 98382

Subject: Catering by Andre, 434 - 25th St., Oakland, CA 94612;  
StId 5008

REMEDIAL ACTION COMPLETION CERTIFICATION

Dear Mr. Mercier:

This letter confirms the completion of site investigation and remedial action for the one (1) 1,000 gallon diesel/gasoline underground storage tank formerly located at the above-described location. Thank you for your cooperation throughout this investigation. Your willingness and promptness in responding to our inquiries concerning the former underground storage tank are greatly appreciated.

Based on information in the above-referenced file and with the provision that the information provided to this agency was accurate and representative of site conditions, no further action related to the underground tank release is required.

This notice is issued pursuant to a regulation contained in Title 23, Section 2721(e) of the California Code of Regulations.

Please contact Don Hwang at (510) 567-6746 if you have any questions regarding this matter.

Sincerely,

  
Mee Ling Tung, Director

c: Chuck Headlee, RWQCB  
Dave Deaner, SWRCB  
Leroy Griffin, OFD  
Richard Burzinski, Earth Tech, 695 River Oaks Parkway, San Jose, CA 95134  
File

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



10-18-00

Ro# 149

October 17, 2000

Andre Mercier  
551 Gardiner Beach Rd.  
Gardiner, WA 98382

Dear Mr. Mercier:

Subject: Catering by Andre, 434 - 25th St., Oakland, CA 94612;  
StId 5008

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

This office and the California Regional Water Quality Control Board, San Francisco Bay Region, have reviewed the case closure summary for the above referenced site and concur that no further action related to the underground tank release is required at this time. Before a remedial action completion letter is sent, the onsite monitoring wells, MW-1, MW-2, and MW-3, must be decommissioned. Please submit a copy of the well destruction permit and a report of the well destruction so a closure letter can be issued. (Well destruction permits may be obtained from James Yoo, Alameda County Public Works Agency, at 510/670-6633.)

If you have any questions, I can be reached at (510) 567-6746.

Sincerely,

Don Hwang  
Hazardous Materials Specialist

<sup>cc</sup> C: Richard Burzinski, Earth Tech, 695 River Oaks Parkway, San Jose, CA 95134

file

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



Sent 12/13/99  
Including cc's

20149

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

December 10, 1999

Andre Mercier  
551 Gardiner Beach Rd.  
Gardiner, WA 98382

Re: Catering by Andre, 434 - 25th St., Oakland, CA 94612;  
Stid 5008

Dear Mr. Mercier:

"Third Quarter 1999 Groundwater Monitoring Report" by Earth Tech, dated October 1, 1999, was reviewed. The results of the grab groundwater samples collected on August 18, 1999 from MW-1, MW-2, and MW-3, found the constituent concentrations within the range of previous samples from these wells. This report has not provided any additional evidence that the contamination onsite is from an offsite source. (See my letter dated September 7, 1999).

The following items are required within 30 days:

- 1) Provide a workplan to delineate of the extent of soil and groundwater contamination west of the tank excavation and south of monitoring well, MW-1, within 30 days. A boring should be installed inside the building to collect soil and groundwater samples.
- 2) Submit the Fourth Quarter 1999 Groundwater Monitoring Report.

If you have any questions, please call me at (510) 567-6746.

Sincerely,

  
Don Hwang  
Hazardous Materials Specialist

C: Richard Burzinski, Earth Tech, 695 River Oaks Parkway, San Jose, CA 95134

file

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



ENVIRONMENTAL HEALTH SERVICES

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

R0149

September 7, 1999

Andre Mercier  
551 Gardiner Beach Rd.  
Gardiner, WA 98382

Re: Catering by Andre, 434 - 25th St., Oakland, CA 94612;  
Stid 5008

Dear Mr. Mercier:

"Second Quarter 1999 Groundwater Monitoring Report" by Earth Tech, dated July 28, 1999, was reviewed. The grab groundwater sample collected on June 1, 1999, by the former fuel dispenser and west of the former tank location, H-1-H2O, detected concentrations which were much higher for chemicals previously tested, total petroleum hydrocarbons as gasoline (TPH-G) was 65,800 ug/L, total petroleum hydrocarbons as diesel (TPH-D) was 25,200 ug/L, benzene was 964 ug/L, toluene was 210 ug/L, ethyl benzene was 328 ug/L, and xylene was 12,100 ug/L (BTEX). However, methyl-tert-butyl ether (MTBE) was NonDetectable (ND).

The report concluded that a source to the south or southwest of the site may be responsible for the contamination on the site. This was based on: 1) finding TPH-G and BTEX from MW-1 which is located south of the former tank location at the highest concentrations and by a factors of 5 and 1000 times those of MW-2 and MW-3; 2) for MW-1, the highest concentrations for MTBE were found when the groundwater gradient was northeast on June 1, 1999 and north on August 26, 1997, and 3) the presence of MTBE since only diesel was stored at the site from 1983 until March 1994, although previously, the tank was used for gasoline. The groundwater samples collected on August 18, 1999, were analyzed with method 8260 which determined that the MTBE concentrations were nondetectable (ND). Therefore, the MTBE concentrations found in previous sampling events were probably false positives. Also, the highest concentrations of the other contaminants, TPH-G, benzene, toluene, ethyl benzene, and xylene, detected were not found when the gradient was northeast and north. Thus, it is premature to conclude that a source to the south or southwest of the site may be responsible for the contamination on the site.

The boring sample collected on June 1, 1999, by the former fuel dispenser and west of the former tank location, H-1-H2O, detected soil concentrations as high as 226 mg/kg for TPH-G and 18.6 mg/kg of TPH-D. A soil boring, B1, collected on February 18, 1997, at

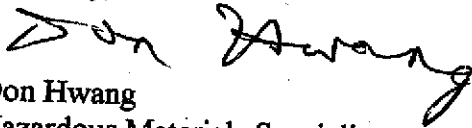
the former location of the fuel dispenser found detectable concentrations of contaminants at 6 ft. and 10 ft. TPH-G was as high as 210 mg/kg and benzene was as high as 0.21 mg/kg. As stated in "Soil and Groundwater Investigation for 434-25<sup>th</sup> St., Oakland, CA, May 1997, Project No. 69456.600, RUST Environment & Infrastructure", "The proximity of this contamination to the existing site structure (within two feet) should preclude any further remediation of the soil by excavation and disposal." This means that although the soil by the dispenser may be a source for the groundwater contamination, it can't be removed without substantial expense.

A workplan to address the following items are required:

- 1) Continued quarterly monitoring. The groundwater samples collected on June 1, 1999, from monitoring well, MW-1, has not decreased for benzene.
- 2) Delineation of the plume is needed. The grab groundwater sample collected by the former fuel dispenser had much higher concentrations for chemicals previously tested. This sample location was more westwardly than that of any of the wells. Thus, the delineation of the plume west of the tank excavation is required. Also, the concentrations for all contaminants were much higher in the southernmost monitoring well, MW-1, compared to the other monitoring wells. Thus, delineation south of monitoring well, MW-1 is also required.

If you have any questions, please call me at (510) 567-6746.

Sincerely,



Don Hwang  
Hazardous Materials Specialist

C: Richard Burzinski, Earth Tech, 695 River Oaks Parkway, San Jose, CA 95134

The City of Oakland Fire Services, 1603 Martin Luther King, Fire Station 1,  
Oakland CA 94612

file

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



20199  
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

Andre Mercier  
551 Gardiner Beach Rd.  
Gardiner, WA 98382

Re: Catering by Andre, 434 - 25th St., Oakland, CA 94612;  
Stid 5008

Dear Mr. Mercier:

### 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. Mercier  
Page 2 of 2  
May 21, 1999

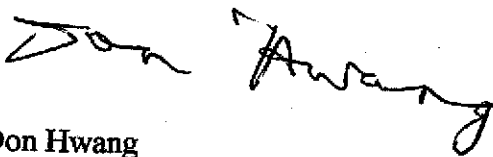
In accordance with Section 25297.15(a) of Ch. 6.7 of the Health & Safety Code, you must certify to the local agency that all current record owners of fee title to the site have been informed of the proposed action before the local agency may do any of the following:

- 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



ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



ROA-9

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

May 7, 1999

Andre Mercier  
551 Gardiner Beach Rd.  
Gardiner, WA 98382

Re: Catering by Andre, 434 - 25th St., Oakland, CA 94612;  
Stid 5008

Dear Mr. Mercier:

The "Workplan for Additional Environmental Work,..., Project No. 35267.01" for the subject site dated April 26, 1999, was reviewed. The workplan meets the requirements of my letter of February 9, 1999. Also, the site Health and Safety Plan (HASP), doesn't need to be submitted to this office.

I am looking forward to receiving your report for review. If you have any questions, please call me at (510) 567-6746.

Sincerely,

Don Hwang  
Hazardous Materials Specialist

C: Richard Burzinski, Earth Tech, 695 River Oaks Parkway,  
San Jose, CA 95134-1907

file

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



Ro# 149

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

April 20, 1999

Andre Mercier  
551 Gardiner Beach Rd.  
Gardiner, WA 98382

Re: Catering by Andre, 434 - 25th St., Oakland, CA 94612;  
Stid 5008

Dear Mr. Mercier:

The "Proposal for Additional Environmental Work,..., Proposal 99.005sj" for the subject site dated April 6, 1999, was reviewed. It appears that the proposal will produce a workplan which will meet the requirements of my letter of February 9, 1999. I am looking forward to receiving your workplan for review.

If you have any questions, please call me at (510) 567-6746.

Sincerely,

Don Hwang  
Hazardous Materials Specialist

C: Richard Burzinski, Earth Tech, 695 River Oaks Parkway,  
San Jose, CA 95134-1907

file

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



RO# 149

February 9, 1999

Andre Mercier  
551 Gardiner Beach Rd.  
Gardiner, WA 98382

ENVIRONMENTAL HEALTH SERVICES

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

Re: Catering by Andre, 434 - 25th St., Oakland, CA 94612;  
Stid 5008

Dear Mr. Mercier:

The letter from this office dated January 14, 1999, requiring additional work, was discussed with you. Based on our conversation, the following items are required:

- 1) Two additional quarters of monitoring. The last sampling event on July 31, 1998, indicated an increasing concentration of benzene. Concentrations need to be declining before closure can be granted.
- 2) At least one more grab groundwater sample close to the building and west of the former tank location. The monitoring wells may have missed the flow of contaminants from the former tank location when the gradient was southwesterly, or westerly. Also, the results should provide a better idea of the risk to workers inside the building.

If the concentrations of benzene are found to be declining, and the concentrations of contaminants found in the sample to be collected west of the former tank location are below the "ASTM Risk-Based Corrective Action Tier 1 Risk-Based Screening Levels", this case may be closed.

Please provide a workplan for the additional work required within 60 days of the date of this letter. Please be advised that this is a formal request for technical reports pursuant to Title 23, CCR, Section 2722(c). Any extensions of the stated deadlines, or modifications of the required tasks, must be confirmed in writing by this agency.

If you have any questions, please call me at (510) 567-6746.

Sincerely,

Don Hwang  
Hazardous Materials Specialist

C: Richard Burzinski, Earth Tech, 695 River Oaks Parkway, San Jose,  
CA 95134

file

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



RO#149

January 14, 1999

Andre Mercier  
551 Gardiner Beach Rd.  
Gardiner, WA 98382

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

Re: Catering by Andre, 434 - 25th St., Oakland, CA 94612;  
Stid 5008

Dear Mr. Mercier:

This office has reviewed the "3rd Quarter Groundwater Monitoring Report" dated November 1998 by Earth Tech, for the above noted facility. Your request for closure cannot be granted at this time for the following reasons:

The report suggests that an off site source is responsible for the contamination found onsite. However, a specific off site source was not identified by you. Also, a check done by this office with the City of Oakland Fire Services Agency was unable to identify an off site source. Hence the information was inconclusive. According to the current owner, Andre Mercier, the tank was used to store diesel since 1983, when he purchased the property, until March 8, 1994, when it was removed. Previously, the tank stored gasoline. The file for the Benz Shop, located at 381-26<sup>th</sup> St., indicated that a tank exists at that site. The inspection reports did not indicate the contents of the tanks. However, our database indicated a diesel tank onsite. Also, this tank has not been used since 1986. Since this tank did not contain gasoline, it does not appear that this was a source of the gasoline or MTBE contamination found at the subject site. The file for the Oakland State Garage Fleet Administration, 401-27<sup>th</sup> St., indicated that 2 tanks: 1 gasoline, and 1 waste oil, were removed on Aug. 30, 1994, and replaced with 1 regular unleaded gasoline tank. The tank was permitted on Nov. 25, 1998. The tanks which were removed were determined to be nonleaking. Since the remaining tank was recently permitted, it would unlikely be a leaker. United Glass Co., 477-25<sup>th</sup> St., is a closed case. Their gasoline tank was removed Nov. 7, 1990. During the sampling period, Jan. 28, 1994, to Nov. 14, 1994, the groundwater samples for TPH-Gasoline decreased from 23,000 ug/L to 1,800 ug/L, and the benzene results

were all nondetectable. These results do not correspond to those found on the subject site where the concentrations were much higher.

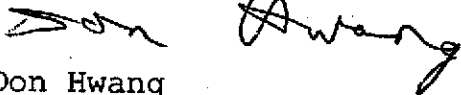
Based on the information reviewed thus far, additional work needs to be done.

- 1) A Risk Assessment is required to address the contaminant concentrations onsite. (This needs to be done whether or not an off site source has been identified.)
- 2) Two additional quarters of monitoring is required. The last sampling event on July 31, 1998, indicated an increasing concentration of benzene. Concentrations need to be declining before closure can be granted.
- 3) Better delineation of the benzene contamination is necessary. High benzene concentrations were found. At least one more grab groundwater sample is requested close to the building halfway between MW-1 and MW-3.
- 4) Also, you may need to identify an off site source or to eliminate the possibility that the contamination is from an onsite source. However, the high concentrations for the various contaminants found in MW-1 and its proximity to the former location of the tanks suggests that the source may be from onsite.

Please provide a workplan for the additional work required within 60 days of the date of this letter. Please be advised that this is a formal request for technical reports pursuant to Title 23, CCR, Section 2722(c). Any extensions of the stated deadlines, or modifications of the required tasks, must be confirmed in writing by this agency.

If you have any questions, please call me at (510) 567-6746.

Sincerely,



Don Hwang  
Hazardous Materials Specialist

C: Richard Burzinski, Earth Tech, 695 River Oaks Parkway,  
San Jose, CA 95134

ALAMEDA COUNTY  
HEALTH CARE SERVICES



AGENCY  
DAVID J. KEARS, Agency Director

R0149

17 June, 1998

STID 5008

Andre Mercier  
551 Gardiner Beach Rd.  
Gardiner, WA 98382

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

re: 434-25<sup>th</sup> St., Oakland, CA 94612

Dear Mr. Mercier:

This office has received and reviewed a Groundwater Monitoring Report dated May 1998 by RUST Environmental & Infrastructure concerning the above site. The following are comments concerning this report and your site:

There is still a high level of contamination which would not, at this time warrant case closure.

1. This office is looking for off-site sources that may be the cause of this contamination. This search was done before, without any success.
2. The well with the highest level of contamination is the upgradient well, in the vicinity of the former tank location. Groundwater gradient is not very uniform so it is hard to draw conclusions about this situation.
3. You are in the Clean-up fund. This office expects that another round of sampling will occur for the next quarter. The Regional Board requires testing for MTBE. It is stated that gasoline was not stored after 1984 in the tank, and this might preclude the MTBE testing requirement. However, the testing for MTBE may help in identifying if there is an off-site source.

Please call this office with any questions at (510) 567-6782.

Sincerely,

Thomas F. Peacock, Manager  
Environmental Protection Division

c: Richard Burzinski, RUST, Environment & Infrastructure Inc.,  
695 River Oaks Pkwy., San Jose, CA 95134  
Dick Pantages, Chief - files  
LeRoy Griffin, City of Oakland Hazardous Material Division

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



RO# 149

July 23, 1997  
STID 5008  
page 1 of 2

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

Andre Mercier  
551 Gardiner Beach Rd.  
Gardiner WA 98382

RE: Catering by Andre site, 434-25th St., Oakland CA 94612

Dear Mr. Mercier,

Since my last letter to you, dated 10/28/96, this office is in receipt of the following documents:

- 1) "Soil and Groundwater Investigation" report, prepared by RUST Environment and Infrastructure, dated May 1997 (received here on 5/20/97).

**Please note that a workplan for this investigation was not received in this office, as was requested in my 10/28/96 letter. You went ahead with the scope of work without approval from this office. However, the May 1997 report appears to be, as per industry standards.**

This report documents the installation of two soil borings on the east side of the building. Although the maximum benzene soil concentration detected was 0.21 ppm (B1 at 10' bgs), the arithmetic average of the soil samples considered left in place (11 samples) yielded an average of 0.0295 ppm. The 11 samples included the 5 new soil samples from the RUST investigation; EX-1, EX-2, EX-3, EX-4A from the 3/94 investigation; and borehole samples MW1-L2 and MW3-L5 from the 8/94 investigation. This average benzene soil concentration is less than the Risk Based Screening Level (RBSL) for the Tier 1 look up table in the American Society of Testing and Materials' (ASTM) "Risk Based Corrective Action Applied at Petroleum Release Sites," document E1739-95. That RBSL is 0.05 ppm, which is the indoor air pathway for commercial sites,  $10^{-5}$  target level. **This means that no further soil investigation is warranted, and the residual soil concentrations left in place do not pose a significant risk to human health.**

This report also documents the sampling of the three groundwater monitoring wells on 2/18/97. This is the second groundwater sampling event; the first event was conducted on 9/8/94. Section 8.0 of the report indicates that you plan to continue to sample and monitor the 3 wells in the 3rd quarter of 1997. **You are also requested to sample and monitor the 3 wells in the 1st quarter of 1998, for a total of 4 quarters of groundwater sampling and monitoring.** It would be acceptable to submit one report to document the last 2 quarters of field work. **Please submit this report within 60 days of the first quarter 1998 sampling date. When this report is received, the case will be evaluated for closure.**

July 23, 1997  
STID 5008  
page 2 of 2  
Andre Mercier

I believe our mutual goal is the closure of this case, at which point a closure letter will be issued from this office, and signed by the Director of this Department. As you probably know, the closure letter is usually paramount in importance when doing a property transfer or refinancing a property loan.

If you have any questions, please contact me at 510-567-6700; ext 6761; our fax number is 510-337-9335.

Sincerely,



Jennifer Eberle  
Hazardous Materials Specialist



Madhulla Logan, M.S. Toxicology  
Hazardous Materials Specialist

cc: Richard Burzinski, RUST Environment and Infrastructure, 695 River Oaks Pky, San Jose  
CA 95134  
Cheryl Gordon, SWRCB UST Cleanup Fund  
Jennifer Eberle/file

je.5008-E



ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY



DAVID J. KEARS, Agency Director

R0#149

October 28, 1996  
STID 5008  
page 1 of 2

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

Andre Mercier  
2071 Dollarhide Rd.  
St. Helena CA 94574

RE: Catering by Andre site, 434-25th St., Oakland CA 94612

Dear Mr. Mercier,

Since my last letter to you, dated 4/11/95, I have received your letter dated 5/8/95, in which you requested an extra month to continue groundwater monitoring and sampling, as per our telephone conversation of 5/4/95. I have also received a copy of a letter from the State Cleanup Fund addressed to you. This letter was not dated, but it was supposed to have been dated 9/19/96, according to a telecon with Cheryl Gordon today. The State is planning to withdraw your Letter of Commitment and close your claim, because you have not submitted a reimbursement request since 7/25/95. These requests should be made at least every six months. Obviously, you can only submit reimbursement requests if you have spent money (or have been billed) for new work. The cleanup and investigation process should be ongoing. Therefore, you are requested to sign a contract with a qualified environmental consultant and submit a copy of the signed contract within 45 days, or by December 13, 1996. You are also requested to continue the groundwater monitoring and sampling and to submit a report within 120 days, or by February 28, 1997. If quarterly monitoring/sampling is too costly, it would be acceptable to do biennial (twice per year) monitoring/sampling. Biennial sampling should be conducted in the 1st and 3rd quarters.

You are required to be proactive in this investigation. "Until investigation and cleanup are complete, the owner or operator shall submit reports to the local agency, . . . every three months or more frequently as specified by the agency," as per Section 2652 (d) of CCR, Title 23, Div. 3, Ch. 16.

As mentioned in my last letter, soil contamination is still an issue. Sample EX-4a was the last sample to be collected in conjunction with tank removal activities. It was located approximately 4' east of the building, near the gas meter. It appears that the concentrations of contaminants actually increased as we got closer to the building. The lateral extent of soil contamination was not fully defined. It is possible that greater soil contamination exists to the west of sample EX-4a. To preclude this possibility, you are requested to submit a brief workplan for soil sampling within 60 days, or by December 28, 1996. At least one sample should be collected in the area of the fuel dispenser and at least one in the area between EX-4a and the building. This area is a possible source of contamination, and was not sampled during the tank removal. The

October 28, 1996  
STID 5008  
page 2 of 2  
Andre Mercier

sample between EX-4a and the building should be collected at approximately 10' below ground surface. This is the same depth of EX-4a. The dispenser sample should be collected at approximately 2'bgs; if ND, soil may not need to be sampled at a greater depth; if there is contamination at 2'bgs, soil should be also sampled at a greater depth. These samples should be collected at a depth of 10'bgs; to save on expenses, sampling can be conducted via hand auger. I have attached a map of tank removal sampling.

I believe our mutual goal is the closure of this case, at which point a closure letter will be issued from this office, and signed by the Director of this Department. As you probably know, the closure letter is usually paramount in importance when doing a property transfer or refinancing a property loan.

If you have any questions, please contact me at 510-567-6700, ext 6761; our fax number is 510-337-9335.

Sincerely,



Jennifer Eberle  
Hazardous Materials Specialist

cc: Cheryl Gordon, SWRCB UST Cleanup Fund  
Jennifer Eberle/file

je.5008-D  
attachment

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



R0149

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

April 11, 1995  
STID 5008

Andre Mercier  
2071 Dollarhide Rd.  
St. Helena CA 94574

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

RE: Catering by Andre site, 434-25th St., Oakland CA 94612

Dear Mr. Mercier,

I am in receipt of the "Monitoring Well Installation Report," prepared by RUST Environment and Infrastructure, (incorrectly) dated February 1994; the correct date is February 1995. As you know, this report documents the installation of three groundwater monitoring wells. The wells were sampled on 9/8/94; maximum concentrations were 7,700 ppb TPH-gasoline and 99 ppb benzene.

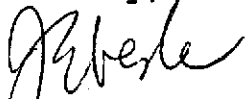
These wells should be sampled for four consecutive quarters for TPH-gasoline and BTEX. After the completion of four consecutive quarters of sampling and monitoring, we will assess the need for further monitoring. **Therefore, you are requested to continue groundwater sampling and monitoring within 60 days, or by June 11, 1995. "Until investigation and cleanup are complete, the owner or operator shall submit reports to the local agency, . . . every three months or more frequently as specified by the agency," as per Section 2652 (d) of CCR, Title 23, Div. 3, Ch. 16.**

Soil contamination is still an issue. Sample EX-4a was the last sample to be collected in conjunction with tank removal activities. It was located approximately 4' east of the building, near the gas meter. It appears that the concentrations of contaminants actually increased as we got closer to the building. The lateral extent of soil contamination was not fully defined. It is possible that greater soil contamination exists to the west of sample EX-4a. To preclude this possibility, **you are requested to submit a brief workplan for soil sampling in the area between EX-4a and the building, within 60 days, or by June 11, 1995.** At least one sample should be collected in the area of the fuel dispenser. This area is a possible source of contamination, and was not sampled during the tank removal. The sample between EX-4a and the building should be collected at approximately 10' below ground surface. This is the same depth of EX-4a. The dispenser sample should be collected at approximately 2'bgs; if ND, soil may not need to be sampled at a greater depth; if there is contamination at 2'bgs, soil should be also sampled at a greater depth. I have attached a map of tank removal sampling.

April 11, 1995  
STID 5008  
Andre Mercier  
page 2 of 2

If you have any questions, please contact me at 510-567-6761.

Sincerely,



Jennifer Eberle  
Hazardous Materials Specialist

cc: Ray Kahler, RUST Environment and Infrastructure, 3327  
Longview Dr., Suite 210, N. Highlands CA 95660  
Ariu Levi/file

je.5008-C

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



SITE ADDRESS: 434 25th St.  
Oakland, CA

R0149

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH

August 2, 1994  
STID 5008

Andre Mercier  
2071 Dollarhide Rd.  
St. Helena CA 94574

ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY  
DEPARTMENT OF ENVIRONMENTAL HEALTH  
1131 HARBOR BAY PARKWAY, 2ND FLOOR  
ALAMEDA, CA 94502-6577

Dear Mr. Mercier,

We are in receipt of the "Workplan for Installation of Monitoring Wells," prepared by Wahler Associates, dated 7/27/94. As you know, this workplan involves the installation of 3 groundwater monitoring wells surrounding the former UST.

The workplan is acceptable with the following clarifications:

- 1) groundwater will also be analyzed for TPH-gasoline
- 2) a period of 72 hours will lapse between well installation and development
- 3) a period of 24 hours will lapse between well development and sampling

Please note that with the exception of closure reports, routine reports and documents no longer need to be copied to the Regional Water Quality Control Board. Kindly submit a cover letter with your consultant's reports. If you have any questions, please contact me at 510-567-6700. Please notify me at least 2 business days in advance of field activities.

Sincerely,

A handwritten signature in cursive script, appearing to read 'J. Eberle'.

Jennifer Eberle  
Hazardous Materials Specialist

cc: Ray Kahler, Wahler Associates, One Walnut Creek Center, 100  
Pringle Ave., Suite 580, Walnut Creek CA 94596  
Ed Howell/file

je 5008-B

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



SITE ADDRESS: 434 25th St.  
Oakland, CA 94612

R0149

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

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

June 7, 1994  
STID 5008

Andre Mercier  
2071 Dollarhide Rd.  
St. Helena CA 94574

Dear Mr. Mercier,

We are in receipt of a letter from your lawyer, Catherine Johnson, dated 5/23/94. This letter requested an extension of time for submittal of a workplan until 7/29/94. **This request is acceptable; the workplan is due by July 29, 1994.**

Please note that with the exception of closure reports, routine reports and documents no longer need to be copied to the Regional Water Quality Control Board. Kindly submit a cover letter with your consultant's reports. If you have any questions, please contact me at 510-271-4530.

Sincerely,

Jennifer Eberle  
Hazardous Materials Specialist

cc: Catherine Johnson, One Market Plaza, Stuart Street Tower,  
Suite 1010, San Francisco CA 94105  
Argy Mena, Sierra Environmental, PO Box 2546, Martinez CA  
94553  
Ed Howell/file

je

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



R0149

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

April 20, 1994  
STID 5008

Andre Mercier  
2071 Dollarhide Rd.  
St. Helena CA 94574

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

RE: Catering by Andre site, 434-25th St., Oakland CA 94612

Dear Mr. Mercier,

As you know, a 1,000-gallon diesel Underground Storage Tank (UST) was removed from this site on 3/8/94. Although no obvious holes were noted, corrosion was present all over the UST. Soil was sampled during UST removal on 3/8/94, but not analyzed because it was stained and odorous.

The excavation was subsequently lengthened and resampled on 3/9/94. Three soil samples were non-detectable (ND); sample EX-4 (southwest corner of excavation) contained 58 parts per million (ppm) Total Petroleum Hydrocarbons as gasoline (TPH-g), 1.8 ppm TPH as diesel (TPH-d), and trace amounts of toluene, ethylbenzene, and xylenes. I was present during these two events.

Argy Mena of Sierra Environmental reported further excavation and resampling in the southwest corner of the excavation on 3/14/94. I was not present during this event. The analytical results were conveyed to me during a telephone conversation with Argy Mena on 4/18/94; there was reportedly 290 ppm TPH-g. This represents an increase in concentration from the previous sample (EX-4).

Results from groundwater sampled during the tank removal on 3/9/94 documented 45,000 parts per billion (ppb) TPH-d and 2.6 ppb benzene.

These are significant groundwater concentrations; it is unknown whether groundwater contamination has migrated from the immediate tank area. Therefore, we request a workplan or proposal for a groundwater investigation, submitted under cover letter from yourself, and prepared by a recognized professional as outlined below. The groundwater investigation should consist of a minimum of three monitoring wells in an equilateral triangular configuration to determine groundwater flow direction and to assess groundwater quality. We can produce a map with nearby leaking UST sites to aid you in this process.

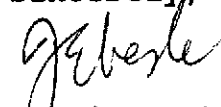
April 20, 1994  
STID 5008  
Andre Mercier  
page 2 of 2

**We also request that you submit an Unauthorized Leak Report (ULR). I have attached a blank ULR for your convenience. Lastly, the tank removal report is due within 60 days of tank removal, or by May 8, 1994, as per the tank closure plan which you signed on 2/28/94.**

All work should adhere to a) the Tri-Regional Board Staff Recommendations for Preliminary Evaluation and Investigation of Underground Tank Sites, dated 8/10/90; and b) Article 11 of Title 23, California Code of Regulations. Reports and proposals must be submitted **under seal** of a California-Registered Geologist, -Certified Engineering Geologist, or -Registered Civil Engineer.

Please note that with the exception of closure reports, routine reports and documents no longer need to be copied to the Regional Water Quality Control Board. Kindly submit a cover letter with your consultant's reports. If you have any questions, please contact me at 510-271-4530.

Sincerely,



Jennifer Eberle  
Hazardous Materials Specialist

cc: Argy Mena, Sierra Environmental, PO Box 2546, Martinez CA  
94553  
Ed Howell/file

je  
attachment