

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



06-28-02

R0218

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

June 27, 2002

STID 3817

Ms. Janet Minami
998 A Street
Hayward, CA 94541

Mr. Jay Woidtke
20320 Redwood Road
Castro Valley, CA 94546

RE: Property at former 600 Shirley Ave. or on Penny Lane, Hayward, CA 94541

Dear Ms. Minami, Mr. Woidtke:

As you are aware, the correspondence from this office dated May 16, 2002 acknowledged the receipt of "Well Decommissioning for the former Minami Nursery" document, dated May 8, 2002, submitted by Mr. Mansur Sepehr of Soma Environmental regarding the above referenced site. This investigation was completed since laboratory analysis revealed non-detect levels of TPH-g, BTEX, and MTBE at the above referenced site. However, there are some residual concentrations of the constituents, which are still in soil. Therefore, please submit a Risk Management Plan, RMP in order to address potential exposure of residual chemicals left in soil during property development of the above referenced site.

Please call me at (510) 567-6876, if have any questions.

Sincerely,

Amir K. Gholami, REHS
Hazardous Materials Specialist

C: Mr. Mansur Sepehr, Soma Environmental, 2680 Bishop Drive, Suite 203, San Ramon,
CA 94583
Files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



05-17-02

20218

May 16, 2002

STID 3817

Ms. Janet Minami
998 A Street
Hayward, CA 94541

Mr. Jay Woidtke
20320 Redwood Road
Castro Valley, CA 94546

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

RE: Property at former 600 Shirley Ave. or on Penny Lane, Hayward, CA 94541

Dear Ms. Minami, Mr. Woidtke:

I am in receipt of "Well Decommissioning for the former Minami Nursery" document, dated May 8, 2002, submitted by Mr. Mansur Sepehr of Soma Environmental regarding the above referenced site.

This document was submitted following an investigation by Soma Environmental regarding the status of "plume" at the above referenced site. This investigation revealed, as indicated in the previous correspondence by this office, Non-detect levels of TPH-g, BTEX, and MTBE by Soma Environmental.

Therefore, I will be recommending the above referenced case for closure. Thank you for your cooperation in this matter.

Please do not hesitate to call me at (510) 567-6876, should you have any questions.

Sincerely,

Amir K. Gholami, REHS
Hazardous Materials Specialist

C: Mr. Mansur Sepehr, Soma Environmental, 2680 Bishop Drive, Suite 203, San Ramon,
CA 94583
Files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



11-5-01

R0218

October 18, 2001

STID 3817

Ms. Janet Minami
998 A Street
Hayward, CA 94541

Mr. Jay Woidtke
20320 Redwood Road
Castro Valley, CA 94546

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

RE: Property at former 600 Shirley Ave. or on Penny Lane, Hayward, CA 94541

Dear Ms. Minami, Mr. Woidtke:

I am in receipt of "workplan to Conduct Soil and Groundwater Investigation" dated October 9, 2001, submitted by Mr. Mansur Sepehr of Soma Environmental regarding the above referenced site.

Per our previous discussion, soil and groundwater have been impacted by petroleum hydrocarbon and, the present status of the former plume is unknown. Therefor this workplan was submitted per request from this office to address these issues.

This workplan proposes to perform six hydropunches, per illustration on figure 2, around existing damaged groundwater monitoring wells, specifically around MW-1 well to the depth of up to 30 feet bgs. Soil and grab groundwater samples, including at least one at capillary fringe, will be collected for analysis including TPH-g, BTEX, and MTBE.

I concur with the workplan proposed by Mr. Sepehr of Soma Environmental.

Please do not hesitate to call me at (510) 567-6876, should you have any questions.

Sincerely,

Amir K. Gholami, REHS
Hazardous Materials Specialist

C: Mr. Mansur Sepehr, Soma Environmental, 2680 Bishop Drive, Suite 203, San Ramon,
CA 94583
Files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



GREEN

9-10-01

R0218

September 7, 2001

STID 3817

Ms. Janet Minami
998 A Street
Hayward, CA 94541

Mr. Jay Woidtke
20320 Redwood Road
Castro Valley, CA 94546

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

RE: Property at former 600 Shirley Ave. or on Penny Lane, Hayward, CA 94541

Dear Ms. Minami, Mr. Woidtke:

As you are aware and based on previous reports, soil and groundwater have been impacted by petroleum hydrocarbon. However, the present status of the former plume is unknown. Therefor please submit a workplan to investigate the present status of the soil/groundwater. You may use the present monitoring wells if available and suitable. However, per my discussion with your consultant, Mr. Mansur Sepehr of Soma Environmental, you may perform installment of several hydropunches if the monitoring wells were found to be unsuitable for use.

This investigation is deemed necessary due to the fact that there has been no recent quarterly groundwater sampling and monitoring report submitted to this office since May 12, 1998.

Please recall that Groundwater Monitoring Report dated May 12, 1998 revealed that MW-1, the most contaminated well, as well as MW-3 well was not sampled. High concentrations of TOG, up to 5000PPb, was detected in MW2 well. In the past MW-1 well had also indicated some concentrations of TPH-g as high as 4,700ppb. MTBE, however, has not been detected in any of the monitoring wells.

Per our previous discussion, concentration of soil stockpile generated are all below Table C Regional Water Quality Control Board (RWQCB) except chromium, which is at 40 (total chromium) instead of allowed concentration of 12ppm.

Please submit a workplan to address the above issues within 30 days or by October 7th, 2001.

If you have any questions and or concerns, please call me at (510) 567-6876.

Sincerely,


Amir K. Gholami, REHS
Hazardous Materials Specialist

C: Mr. Mansur Sepehr, Soma Environmental, 2680 Bishop Drive, Suite 203, San Ramon,
CA 94583
Files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



08-08-01

20218

August 6, 2001

STID 3817

Ms. Janet Minami
998 A Street
Hayward, CA 94541

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

RE: Property at former 600 Shirley Ave. or on Penny Lane, Hayward, CA 94541

Dear Ms. Minami:

I received a voice mail message from Mr. Jay Wopidtko regarding the above referenced site. Mr. Wopidtko left a phone number, which I could not copy. I understand that he is your present consultant. Please provide him a copy of my letter dated June 19th, 2001 regarding the status of the above referenced site since I do not have his address to send him a copy of the said letter. Please recall that I had indicated the following in the letter:

- There had been no recent "Quarterly Groundwater Sampling and Monitoring" report submitted to this office and that the last analysis performed indicates May 12, 1998. If you have performed more recent sampling and monitoring of the wells, please submit it to this office for an evaluation of the existing plume at the above referenced site.
- Groundwater Monitoring Report dated May 12, 1998 reveals that MW-1, the most contaminated well, as well as MW-3 well was not sampled. High concentrations of TOG, up to 5000PPb, was detected in MW2 well. Please apply appropriate detection limits. In the past MW-1 well had also indicated some concentrations of TPH-g as high as 4,700ppb.
- MTBE has not been detected in any of the monitoring wells.
- Table 2 within this report the flow gradient has been to the northwest.
- Other reports in the files indicate that concentration of soil stockpile generated are all below Table C Regional Water Quality Control Board (RWQCB) except chromium, which is at 40 (I am assuming is total chromium) instead of allowed concentration of 12ppm.

Should you have any questions, please call me at (510) 567-6876.

Sincerely,

Amir K. Gholami, REHS
Hazardous Materials Specialist

C: Mr. Gary B. Mateik, Horizon Environmental Inc., 5011 Golden Foothill Parkway, Suite 7,
El Dorado Hills, CA 95762
Files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



06-20-01

R0218

June 19, 2001

STID 3817

Ms. Janet Minami
998 A Street
Hayward, CA 94541

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

RE: Property at former 600 Shirley Ave. or on Penny Lane, Hayward, CA 94541

Dear Ms. Minami:

I have been recently assigned to oversee the remediation work conducted at the above referenced site. I have reviewed the files and would like to make the following comment regarding my review of the files:

There has been no recent "Quarterly Groundwater Sampling and Monitoring" report submitted to this office. The last analysis performed indicates May 12, 1998. If you have performed more recent sampling and monitoring of the wells, please submit it to this office for an evaluation of the existing plume at the above referenced site.

Per Groundwater Monitoring Report dated May 12, 1998. MW-1, the most contaminated well, as well as MW-3 well was not sampled. High concentrations of TOG, up to 5000PPb, was detected in MW2 well. Please apply appropriate detection limits. In the past MW-1 well had also indicated some concentrations of TPH-g as high as 4,700ppb.

MTBE has not been detected in any of the monitoring wells.

You may transport the stockpile soil to an approved facility as requested.

Other reports in the files indicate that concentration of soil stockpile generated are all below Table C Regional Water Quality Control Board (RWQCB) except chromium, which is at 40 (I am assuming is total chromium) instead of allowed concentration of 12ppm.

Per Table 2 within this report the flow gradient has been to the northwest.

If you have any questions, please do not hesitate to call me at (510) 567-6876.

Sincerely,

Amir K. Gholami, REHS
Hazardous Materials Specialist

C: Mr. Gary B. Mateik, Horizon Environmental Inc., 5011 Golden Foothill Parkway, Suite 7,
El Dorado Hills, CA 95762
Files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



Sent 12/14/99
Including cc's

2028

December 13, 1999

STID 3817

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

Ms. Janet Minami
998 A Street
Hayward, CA 94541

RE: Property at former 600 Shirley Ave. or on Penny Lane,
Hayward, CA 94541

LANDOWNER NOTIFICATION AND PARTICIPATION REQUIREMENTS

Dear Ms. Minami:

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.

Alameda County Health care Services Agency
Environmental Health Services
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

"List of Landowners" form
(Sample Letter 2)

SUBJECT: CERTIFIED LIST OF RECORD FEE TITLE OWNERS FOR (Site
name and address)
(to be filled in by the primary responsible party and mailed to
Alameda County)

(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

Alameda County Health care Services Agency
Environmental Health Services
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

**"Notice of Proposed Action" form
(Sample Letter 3)**

**SUBJECT: NOTICE OF PROPOSED ACTION SUBMITTED TO LOCAL AGENCY FOR
(site name and address)
(to be filled in by the primary responsible party and mailed to
Alameda county)**

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
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



SENT 10-26-99
including cc's

20218

October 25, 1999

STID 3817

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

Mr. George Ninami
29640 Vanderbilt
Hayward, CA 94544

RE: Property at 600 Shirley Ave., Hayward, CA 94541

LANDOWNER NOTIFICATION AND PARTICIPATION REQUIREMENTS

Dear Mr. Minami:

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: 600 Shirley Ave., Hayward

October 25, 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) 567-6876 if you have any questions about the content of this letter.

Sincerely,



Amir K. Gholami, REHS
Hazardous Materials Specialist

cc: Chuck Headlee, RWQCB

Attachments: Sample letter 2 and Sample letter 3, which must be filled out by the Responsible Party and mailed to Alameda County.

Alameda County Health care Services Agency
Environmental Health Services
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

"List of Landowners" form
(Sample Letter 2)

**SUBJECT: CERTIFIED LIST OF RECORD FEE TITLE OWNERS FOR (Site
name and address)
(to be filled in by the primary responsible party and mailed to
Alameda County)**

(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

Alameda County Health care Services Agency
Environmental Health Services
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

"Notice of Proposed Action" form
(Sample Letter 3)

SUBJECT: NOTICE OF PROPOSED ACTION SUBMITTED TO LOCAL AGENCY FOR
(site name and address)
(to be filled in by the primary responsible party and mailed to
Alameda county)

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
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



R0# 218

August 26, 1998

STID #3817

Jay Woidtke
Attorney at Law
20320 Redwood Road,
Castro Valley, CA 94546

ENVIRONMENTAL HEALTH SERVICES

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

Subject: Manami Nursery, 600 Shirley Avenue, Hayward, CA 94541

Dear Mr. Woidtke:

On August 19, 1998, a meeting was held at the County of Alameda Public Works facility in Hayward. Those attending included yourself, Stephen Richards, Zoning Administrator, Ginette Reeves, Senior Zoning Investigator, and myself. The subjects covered in the meeting included zoning violations and violations of the "Underground Storage Tank Regulations".

The following documentation is a written memorial of the agreements reached during the meeting:

- 1) A work plan for will be provided immediately indicating the means by which the soil on site will be disposed. This plan should be submitted **within 30 days**.
- 2) Regarding soil removal, any soil removed will be tested and analyzed for the appropriate chemical constituents.
- 3) Please indicate by what method the drums formerly located on site were tested and subsequently disposed.
- 4) A "Case Closure Summary" should be submitted by your consultant to aid in eventual closure of the site.
- 5) Please provide the current name and address of the responsible party (Mr. Manami or Heir).

If you have any questions, please do not hesitate to call this office. The number is (510) 567-6737.

Sincerely,

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

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

C: Ginnette Reeves
Tom Peacock

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



R0218

ENVIRONMENTAL HEALTH SERVICES

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

June 26, 1998

STID# 3817

George Minami
29640 Vanderbilt
Hayward, CA 94544

Subject: Former Minami Nursury, 600 Shirley Ave., Hayward, CA 94541

NOTICE OF VIOLATION

Dear Mr. Minami:

During the last several months, this office has responded to a number of complaints regarding the aforementioned site. The subject of the complaint is the unsafe manner in which the site has been maintained. There have been several inspections, re-inspections made at the site, and a multitude of photographs have been taken as evidence.

The following conditions exist at the site at this time:

1. There are monitoring wells at the site that are "open" and otherwise not kept safe so as to preclude unauthorized waste disposal/use. It would be a simple matter to lock these wells.
2. There are several unmarked drums at the site that may contain hazardous material. These drums have been opened and are being used/stored improperly.
3. There are stockpiled soils on the site that have been excavated by youths at the site and used for bicycle "jumps". These soils may contain elevated levels of hazardous materials.
4. The site is open to the public and therefore, creates an "attractive nuisance".

Under Title 23, of the Underground Storage Tank Regulations, the owner/operator of an underground storage tank is required to properly "close" the tank(s). Failure to do such may subject the owner/operator to fines up to \$500.00/day per tank.

You are hereby directed to undertake steps to make the site safe and otherwise properly "close" the site so as to preclude injury to public health and to the environment. Such steps must include closing the site so as to prevent unauthorized entry. The drums located on site should be tested for hazardous wastes and removed from the site by a licensed hazardous waste hauler. You must commence these actions immediately and said actions should be completed within thirty (30) days.

If you have any questions, please call this office. The telephone number is (510) 567-6737.

Sincerely,

Brian P. Oliva, REHS, REA
Hazardous Materials Specialist

C: Bob Chambers, Alameda County Deputy District Attorney
Jay Woidtke, Attorney at Law, 20320 Redwood Road, Castro Valley, CA 94546
Ginette Reeves, Alameda County Zoning (Fax (510) 785-8793)
Dick Pantages, Chief, Division of Hazardous Materials

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



20218

ALAMEDA COUNTY CC4580
ENVIRONMENTAL HEALTH SERVICES
1131 HARBOR BAY PKWY., #250
ALAMEDA, CA 94502-6577
(510) 567-6700 FAX (510)337-9335

July 26, 1996
STID 3817

George Minami
29640 Vanderbilt
Hayward, CA 94544

RE: Former Minami Nursery, 600 Shirley Ave., Hayward, CA 94541

Dear George Minami:

This office has received and reviewed a Preliminary Site Assessment Investigation dated June 14, 1996 by Fuller Excavating & Demolition, Inc.. The report is acceptable and this office agrees with the recommendations on page 19, with the following comments:

1. The location of the former tanks should be shown on the site drawing.
2. MW-1 seems to be the only impacted well, and it appears to be upgradient.
3. It may not be necessary to continue monthly measurements of groundwater gradient once trends are shown.

If you have any questions please call this office at 567-6755.

Sincerely,

Thomas F. Peacock, Manager
Hazardous Material Division

c: Gordon Coleman, Acting Chief - files
Ken Mateik, Fuller Excavating & Demolition, Inc., P.O. Box
6595, San Jose, CA 95150
Jay Woidtke, Law Offices, 20320 Redwood Rd., Castro Valley,
CA 94546

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



Ro# 218

Alameda County CC4580
Environmental Health Services
1131 Harbor Bay Pkwy., #250
Alameda CA 94502-6577
(510)567-6700 FAX(510)337-9335

STID 3817

May 23, 1996

Jay A. Woidtke
Law Offices of Jay A. Woidtke
20320 Redwood Rd
Castro Valley CA 94546

Subject: Investigations at property located at Parcel #412-87-81 Hesperian Blvd., San Lorenzo (formerly known as Minami Nursery, 600 Shirley Ave., Hayward)

Dear Mr. Woidtke:

Per our telephone conversation on May 17, 1996 and your letter dated the same, this office understands that the well installation project at the subject site has been delayed due to inclement weather. You indicated during our telephone conversation on May 21, 1996, that the well installations have been rescheduled for the last week of May and well sampling would be completed no later than the first week of June 1996.

Based on this information, the due date for the submittal of the technical report to this office regarding the implementation of the proposed soil and groundwater investigations at this site is hereby extended from May 24, 1996 to June 17, 1996.

Please be advised, this is the last extension to be granted due to the numerous delays already encountered on this project.

Please notify this office at least 72 hours before well installation is scheduled to begin and call me at (510)567-6755 if you have questions.

Sincerely,

Amy Leech
Hazardous Materials Specialist

Be
c: George Minami, Sr. and Janet K. Mitobe, 29640 Vanderbilt, Hayward, CA 94544
Cheryl Gordon, SWRCB
Kevin Graves, RWQCB
Gil Jensen, Alameda County District Attorney's Office
Gordon Coleman - Files(ALL)

Alameda County Health Care Services Agency,
Department of Environmental Health,
Division of Environmental Protection

In Re The Properties Known As :)	Proof of Service of
)	Notice of Pre-Enforcement
)	Review Panel
<u>Minami Nursery</u>)	
<u>Parcel #412-87-81 Hesperian Blvd.</u>)	
<u>Formerly 600 Shirley Avenue</u>)	
<u>Hayward</u>)	

I Amy Leech, do hereby certify that I served George Minami, Sr. and Janet Mitobe
with a copy of the attached Notice of Pre-Enforcement Review Panel to convene on
February 28, 1996 by certified mailer # P 368 729 297

Dated: 02/15/96


(signature)

**Alameda County Health Care Services Agency,
Department of Environmental Health,
Division of Environmental Protection**

In Re The Properties Known As:)	Notice of
)	Pre-Enforcement
)	Review Panel
<u>Minami Nursery</u>)	
<u>Parcel #412-87-81 Hesperian Blvd.</u>)	
<u>Formerly 600 Shirley Avenue</u>)	
<u>Hayward</u>)	

Notice is hereby given that upon the motion of the Alameda County Environmental Protection Division, and the San Francisco Bay Regional Water Quality Control Board a hearing of the **Review Panel** will convene on February 28, 1996 at 10:30 a.m. in the offices of the Alameda County Environmental Protection Division, located at 1131 Harbor Bay Parkway, Room 250, Alameda, CA 94502. This hearing of the **Review Panel** will convene for the purpose of determining responsible parties as well as appropriate closure, site assessment, clean-up and mitigation of contamination at the above locations.

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

1. **George Minami, Sr. and Janet K. Mitobe**
29640 Vanderbilt
Hayward CA 94544

Dated: February 15, 1996



(signature)

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



RO# 218

ARNOLD PERKINS, DIRECTOR
RAFAT A. SHAHID, DEPUTY DIRECTOR

Sfd 3817

January 25, 1996

George Minami, Sr. and Janet K. Mitobe
29640 Vanderbilt
Hayward CA 94544

Alameda County Environmental Health Dept.
Environmental Protection Division
1131 Harbor Bay Parkway, Room 250
Alameda CA 94502-6577
(510)567-6700 fax: (510)337-9335

FINAL NOTICE OF VIOLATION

Subject: Required investigations at property located at Parcel #412-87-81 Hesperian Blvd., San Lorenzo (formerly known as Minami Nursery, 600 Shirley Ave., Hayward)

Dear Mr. Minami and Ms. Mitobe:

The Alameda County Department of Environmental Health sent you letters on November 28, 1990, May 10, 1991, March 23, 1992, April 15, 1992, August 7, 1992, and August 18, 1993, requiring that you submit a Preliminary Site Assessment workplan to determine the vertical and lateral extent of soil and groundwater contamination from past releases from the former underground storage tanks at the subject site. This office approved ES Engineering-Science's "Workplan for Preliminary Site Assessment at Former Minami Nursery Site", dated October 18, 1993, on October 21, 1993 with conditions (see attached letter). Additionally, this office sent you letters on October 21, 1993, August 24, 1994, and February 3, 1995, requiring you to proceed with implementation of the approved workplan; however, to our knowledge this workplan has not been implemented to date. 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 to this office confirmation that the proposed monitoring wells have been installed and sampled no later than February 14, 1996 and a report documenting the completion of the Preliminary Site Assessment up through the installation and sampling of the three monitoring wells no later than March 15, 1996. The report must be submitted under seal of a California-Registered Geologist, -Certified Engineering Geologist, or -Registered Civil Engineer. 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.

Please notify me at least 72 hours before field work begins. If you have questions or concerns, please contact me at (510)567-5655.

Sincerely,

Amy L. Leech
Hazardous Materials Specialist

Minami/Mitobe
Re: Parcel #412-87-81
January 25, 1996
Page 2 of 2

ATTACHMENT

JS
c: Jay Woidtke, 20320 Redwood Rd., Castro Valley, CA 94546 w/attachment
Cheryl Gordon, SWRCB
Kevin Graves, RWQCB
Gil Jensen, Alameda County District Attorney's Office
Gordon Coleman - Files(ALL)

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



R0218

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

StId 3817

DEPARTMENT OF ENVIRONMENTAL HEALTH
State Water Resources Control Board
Division of Clean Water Programs
UST Local Oversight Program

February 3, 1995

Alameda County
Environmental Protection Division
1131 Harbor Bay Parkway, Room 250
Alameda CA 94502-6577
CC4530

Jay Woidtke
20320 Redwood Rd.
Castro Valley, CA 94546

Subject: Investigations at 600 Shirley Ave, Hayward, California


Dear Mr. Woidtke:

This office is in receipt of your letter dated January 12, 1995, addressed to the State UST Cleanup Fund and copied to us. That letter indicated you were planning to accept a bid from Fuller Excavating to complete the investigations proposed by Engineering-Science, Inc. in their work plan dated October 1993. Please see the attached letter dated October 21, 1993 from our office which approved that work plan with three provisions.

Please submit to this office documentation of Fuller Excavating's qualifications, along with a revised Project Schedule. Any extensions of stated deadlines, or modifications of approved and/or required tasks, must be confirmed in writing by either this agency or RWQCB. Please be reminded that all reports and proposals must be submitted under seal of a California-Registered Geologist, -Certified Engineering Geologist, or -Registered Civil Engineer.

If you have any questions or comments, please contact me at (510) 567-6755.

Sincerely,


Amy Leech
Hazardous Materials Specialist

encl.

cc: Minami Residence
29640 Vanderbilt
Hayward, CA 94544

Cheryl Gordon
State Water Resources Control Board
Division of Clean Water Programs
UST Cleanup Fund
PO Box 944212
Sacramento, CA 94244-2120

Ed Howell

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R0218

RAFAT A. SHAHID, Assistant Agency Director

August 24, 1994

Mr. Jay Woidtke
20320 Redwood Rd.
Castro Valley, CA 94546

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

STID 3817

Re: Requirements for the State Trust Fund committment letter
for site located at 600 Shirley Ave., Hayward, California

Dear Mr. Woidtke,

On December 28, 1993, you received a Letter of Committment (LOC) from the State Trust Fund for the above site. The case files for the site were recently reviewed by the State Trust Fund, and it was determined that the site is currently not in compliance with the required investigations. Please be reminded that diligent efforts must be made to investigate and remediate contamination at the site, and if the site does not remain in compliance, steps will be taken to remove the site's claim from the State Trust Fund priority list.

The County issued you a letter on October 21, 1993 approving Engineering Science's work plan for investigations at the site. Per my conversation with you on May 3, 1994, you stated that a consultant would be retained by the end of the month to implement the work. To this date, it appears that the work plan has not been implemented at the site, and this office has received no correspondence regarding the status of the site. This office left you messages on May 17, 1994 and July 20, 1994 requesting that you contact us with an update on the status of the site.

In an effort to encourage continual investigative efforts at the site and to gauge the site's status of compliance, this office is assigning a **due date of November 16, 1994** for the implementation of the referenced work plan, and the submittal of a report documenting the work.

If you have any questions or comments, please contact me at (510) 567-6763.

Sincerely,

Juliet Shin
Hazardous Materials Specialist

Mr. Jay Woidtke
Re: 600 Shirley Ave.
August 24, 1994
Page 2 of 2

cc: Donna Turcotte
State Water Resources Control Board
Division of Clean Water Programs
Underground Storage Tank Cleanup Fund
P.O. Box 944212
Sacramento, CA 94244-2120

Minami Residence
29640 Vanderbilt
Hayward, CA 94544

Edgar Howell-File(JS)

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



R0218

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

October 21, 1993

Mr. Jay Woidtke
20320 Redwood Rd.
Castro Valley, CA 94546

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

STID 3817

Re: Work plan for 600 Shirley Ave., Hayward, California

Dear Mr. Woidtke,

This office has received and reviewed Engineering Science's work plan, dated October 1993, for the above site. This work plan is acceptable to this office with the following reminders:

- o Ground water samples shall also be analyzed for Total Oil & Grease;
- o Please be reminded to survey wells to an established benchmark (i.e., Mean Sea Level);
- o You must wait a minimum of 24 hours after developing the wells, before you can sample the wells.

It is the understanding of this office that the work will be implemented as stipulated in the Project Schedule given in the work plan.

If you have any questions or comments, please contact me at (510) 271-4530.

Sincerely,


Juliet Shin
Hazardous Materials Specialist

cc: Neal Siler
Engineering Science, Inc.
1301 Marina Village Pkwy.
Alameda, CA 94501

Minami Residence
29640 Vanderbilt
Hayward, CA 94544

Edgar Howell-File(JS)

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



R0218

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

September 18, 1993

Jay Woidtke
20320 Redwood Rd.
Castro Valley, CA 94546

STID 3817

Re: Investigations at 600 Shirley Ave., Hayward, California

Dear Mr. Woidtke,

The files for the above site were recently reviewed by the State Water Resources Control Board staff. The purpose of this review was to determine if you are in compliance with the State's underground storage tank regulations. The review determined that because the next phase of work at your site has not been proposed, you are not in compliance.

Consequently, this office sent you a letter, dated August 18, 1993, requiring you to submit a work plan to this office by October 18, 1993, for further investigations at the above site. If the work plan is not bid, contracted for, and prepared within the given timeframe, the State Board cannot provide you with a letter of commitment for funding. Additionally, if you do not submit the work plan by the given due date, steps will be taken to remove your claim from the underground storage tank cleanup fund priority list.

You must keep us informed on your progress in this matter. If you have any questions or comments, please contact me at (510) 271-4530.

Sincerely,

A handwritten signature in cursive script, appearing to read "Juliet Shin".

Juliet Shin
Hazardous Materials Specialist

cc: Minami Residence
29640 Vanderbilt
Hayward, CA 94544

Edgar Howell-File(JS)

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



ROZ/8

RAFAT A. SHAHID, Assistant Agency Director

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

August 26, 1993

Timothy Blaney
c/o Berkeley Farms
4550 San Pablo Ave.,
Emeryville, CA 94608

Subject: Five Year Underground Storage Tank Operating Permit
Berkeley Farms, Inc., 4550 San Pablo, Emeryville, CA

Dear Mr. Blaney:

Enclosed you will find a five year permit to operate two (2) underground petroleum storage tanks at the above referenced facility. These are two single walled steel tanks utilizing single walled piping, with electronic monitoring. To operate under a valid permit, you are required to comply with the conditions as described in Title 23 of the California Code of Regulations (CCR).

Any changes in the reported monitoring /leak detection system should be reported to this office with an accompanying State Form "B", attached.

Please consult Title 23, CCR for any additional requirements. To obtain a copy of the Regulations, you may contact the State Water Resources Control Board at (916) 657-0917. This office may be reached at (510) 271-4320.

Sincerely,

Brian P. Oliva, REHS, REA
Hazardous Materials Specialist

CC: George Warren, Emeryville Fire Dept.

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

RO218

August 18, 1993

Jay Woidtke
20320 Redwood Rd.
Castro Valley, CA 94546

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

STID 3817

Re: Required investigations at 600 Shirley Ave., Hayward
California

Dear Mr. Woidtke,

On November 6, 1990, one 1,000-gallon gasoline tank and one 2,000-gallon fuel oil tank was removed from the above site. Prior to this activity, another fuel oil storage tank had been removed from the site, however, information regarding the removal and fate of this tank are unknown. Two soil samples were collected from beneath each end of each tank (T1-W and T1-E from beneath the gasoline tank, and T2-W and T2-E from beneath the fuel oil tank). Analysis of the soil samples identified Total Petroleum Hydrocarbons as gasoline (TPHg) at 3,900 parts per million (ppm) and benzene at 13 ppm from sample T1-W.

Excavation and stockpiling of contaminated soil took place between November 9 and December 5, 1989. Confirmatory soil samples were collected from both the tank pit excavations. Upto 1,200 ppm TPHg was identified from these samples. The excavation was subsequently expanded and additional confirmatory samples were collected. The excavation was backfilled by March 22, 1990 with some of the overburden from the tank excavation, which was sampled and found to contain 14 ppm TPHg, but mostly with imported fill.

Although it appears that the bulk of soil contamination at the site has been removed, guidelines established by the California Regional Water Quality Control Board (RWQCB) require that ground water investigations be conducted when there is evidence to indicate that a release from an UST may have impacted the ground water.

You are required to conduct a **Preliminary Site Assessment (PSA)** to determine the lateral and vertical extent and severity of ground water contamination which has resulted from the release at the site. The information gathered by the PSA will be used to determine an appropriate course of action to remediate the site, if deemed necessary. The PSA must be conducted in accordance with the RWQCB's Staff Recommendations for the Initial Evaluation and Investigation of Underground Tanks, and be

Mr. Jay Woidtke
Re: 600 Shirley Ave.
August 18, 1993
Page 2 of 3

consistent with requirements set forth in Article 11 of Title 23, California Code of Regulations. The major elements of such an investigation are summarized in the attached **Appendix A**. The major elements of the guidelines include, but are not limited to, the following:

- o At least one ground water monitoring well must be installed within 10 feet of the observed soil contamination, oriented in the confirmed downgradient direction relative to ground water flow. In the absence of data identifying the confirmed downgradient direction, a minimum of three wells will be required to verify gradient direction. During the installation of these wells, soil samples are to be collected at five-foot-depth intervals and any significant changes in lithology.

- o Subsequent to the installation of the monitoring wells, these wells must be **surveyed to an established benchmark**, with an accuracy of 0.01 foot. Ground water samples are to be collected and analyzed quarterly, and water level measurements are to be collected monthly for the first three months, and then quarterly thereafter. If the initial ground water elevation contours indicate that ground water flow directions vary greatly than you will be required to continue monthly water level measurements until the ground water gradient behavior is known. Both soil and ground water samples must be analyzed for the appropriate fuel contaminants listed in Table 2 of the RWQCB's Staff Recommendations for the Initial Evaluation and Investigation of Underground Tanks.

This Department will oversee the assessment and remediation of your site. Our oversight will include the review of and comment on work proposals and technical guidance on appropriate investigative approaches and monitoring schedules. The issuance of well drilling permits, however, will be through the Alameda County Flood Control and Water Conservation District, Zone 7, in Pleasanton. The RWQCB may choose to take over as lead agency if it is determined, following the completion of the initial assessment, that there has been a substantial impact to ground water.

The PSA proposal is due **within 60 days** of the receipt of this letter. Once the proposal is approved, field work should

Mr. Jay Woidtke
Re: 600 Shirley Ave.
August 18, 1993
Page 3 of 3

commence within 60 days. A report must be submitted within 45 days after the completion of this phase of work at the site. Subsequent reports are to be submitted quarterly until this site qualifies for final RWQCB "sign-off". Such quarterly reports are due the first day of the second month of each subsequent quarter.

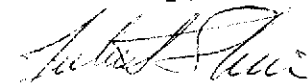
The referenced initial and quarterly reports must describe the status of the investigation and must include, among others, the following elements:

- o Details and results of all work performed during the designated period of time: 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, tabulations of free product thicknesses and dissolved fractions, etc.
- o Status of ground water contamination characterization.
- o Interpretations of results: water level contour maps showing gradients, free and dissolved product, plume definition maps for each target component, geologic cross sections, etc.
- o Recommendations or plans for additional investigative work or remediation.

Please be advised that this is a formal request for a work plan pursuant to **Section 2722 (c)(d) of Title 23 California Code of Regulations**. Any extensions of the stated deadlines, or modifications of the required tasks, must be confirmed in writing by either this agency or RWQCB.

If you have any questions or comments, please contact me at (510) 271-4530.

Sincerely,



Juliet Shin
Hazardous Materials Specialist

cc: Minami Residence
29640 Vanderbilt
Hayward, CA 94544

Edgar Howell-File(JS)

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



R0218

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

August 7, 1992

George Minami
29640 Vanderbilt
Hayward, CA 94544

STID 3817

RE: Soil and Ground Water Contamination at 600 Shirley Ave.,
Hayward, California

SECOND NOTICE OF VIOLATION

Dear Mr. Minami,

On April 15, 1992, this office sent you a **Notice of Violation** requesting you to install a minimum of three ground water monitoring wells and to define the vertical and lateral extent of soil and ground water contamination at the above site. Prior to the first **Notice of Violation** letter, this office sent you two letters, one dated November 28, 1990, and the other dated May 10, 1991, requiring that you conduct these investigations. As of the date of this letter, however, we have not received any communication from you on this matter. Therefore, this letter constitutes a **Second Notice** that you are in violation of specific laws and that the technical report is due.

According to **Section 25298 of the California Health and Safety Code**, underground storage tank closure is incomplete until the responsible party characterizes and remediates the contamination resulting from product discharge. Therefore, you, as the responsible party, are in violation of this section of the Code, for which **Section 25299** specifies civil penalties of up to \$ 5,000, for each day of violation.

You are required to submit a **Preliminary Site Assessment (PSA)** work plan that outlines the manner in which subsurface contamination will be investigated and includes a timetable for completion. You must submit this work plan no later than **September 15, 1992**.

At a minimum, you must install three monitoring wells, constructed according to RWQCB guidelines, on site. For each former tank location, at least one well must be installed within 10 feet of the former tank in the confirmed downgradient direction. Wells must be sampled and chemically analyzed quarterly, for a minimum of one

George Minami
RE: 600 Shirley Ave.
August 7, 1992
Page 2 of 2

year. Monitor for floating fuel products and analyze for the following dissolved fuel contaminants:

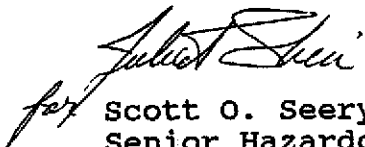
Total Petroleum Hydrocarbons as gasoline (TPHg)
Total Petroleum Hydrocarbons as diesel (TPHd)
Benzene
Toluene
Ethyl Benzene
Xylenes

Ground water elevations are to be measured monthly for 12 consecutive months, and then quarterly thereafter. Commensurate ground water gradient maps must be submitted for each of the monthly water level measurements.

Failure to respond will result in referral of this case to the Regional Water Quality Control Board (RWQCB) or Alameda County District Attorney 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.

If you have any questions or comments, please contact Ms. Juliet Shin at (510) 271-4530.

Sincerely,



for Scott O. Seery, CHMM
Senior Hazardous Materials Specialist

cc: Eddy So, RWQCB

Hugh Murphy, Hayward Fire Dept.

Mark Thompson, Alameda County District Attorney's Office

Robert Kahn
Law Offices of Robert J. Kahn
18 Crow Canyon Court, Ste. 280
San Ramon, CA 94583

Edgar Howell-File (JS)

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



R0218

RAFAT A. SHAHID, Assistant Agency Director

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

April 15, 1992

George Minami
29640 Vanderbilt
Hayward, CA 94544

STID 3817

RE: Soil and Groundwater Contamination at 600 Shirley Ave.,
Hayward

NOTICE OF VIOLATION

Dear Mr. Minami,

Two underground storage tanks were removed from your property in November 1989, and subsequently, significant fuel contamination was discovered in both soil and groundwater.

You were instructed in writing by this office to submit a workplan for investigation and remediation of this contamination by January 15, 1991. To date, no workplan for monitoring well installation has been received by this office.

California Health and Safety Code Section 25298(c) requires that you demonstrate to this agency that any releases from your underground tank have been investigated and that corrective or remedial action has been taken. Consequently, we require that you submit a Preliminary Site Assessment (PSA) work plan that outlines the manner in which subsurface contamination will be investigated and includes a timetable for completion. You must submit this work plan no later than May 31, 1992.

All work must be performed according to the Regional Water Quality Control Board (RWQCB) Staff Recommendations for the Initial Evaluation and Investigation of Underground Tanks, August 1990. Copies of this document can be obtained from RWQCB. The major elements of such an investigation are summarized in the attached Appendix A.

At a minimum, you must install three monitoring wells, constructed according to RWQCB guidelines, onsite. For each former tank location, at least one well must be installed within 10 feet of the former tank in the confirmed downgradient direction. Wells must be sampled and chemically analyzed quarterly, for a minimum of one

year. Monitor for floating fuel products and analyze for the following dissolved fuel constituents:

Total Petroleum Hydrocarbons as gasoline (TPHg)
Total Petroleum Hydrocarbons as diesel (TPHd)
Benzene
Toluene
Ethyl benzene
Xylenes

Groundwater elevations are to be measured monthly for 12 consecutive months, and then quarterly thereafter. Groundwater gradient maps must be developed for each water level monitoring event occurring at the site.

A technical report must be submitted within 45 days of the completion of field activities. This report must present and interpret the information generated during the initial subsurface investigation. All reports and proposals must be signed by a California-Certified Engineering Geologist, California-Registered Geologist, or a California-Registered Civil Engineer. All proposals, reports, and analytical results pertaining to this investigation and site remediation must be sent to this office.

Be aware that Section 13268(a) of the State Water Code states that failure to furnish reports as required by Section 13267(b) is a misdemeanor and provides for civil penalties.

You may contact Juliet Shin with any questions or comments at (510) 271-4320.

Sincerely,



Scott O. Seery, CHMM
Senior Hazardous Materials Specialist

Attachment

cc: Richard Hiatt, RWQCB

Hugh Murphy, Hayward Fire Dept.

Robert Kahn
Law Offices of Robert J. Kahn
18 Crow Canyon Court, Ste. 280
San Ramon, Ca 94583

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



R0218

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

May 10, 1991

George Minami
29640 Vanderbilt
Hayward CA

RE: Soil and Groundwater Contamination at 600 Shirley Av., Hayward

NOTICE OF VIOLATION

Dear Mr. Minami:

Two underground storage tanks were removed from your property in November 1989, and subsequently, significant fuel contamination was discovered in both soil and groundwater. Such findings require an investigation of the full lateral and vertical extent of the contamination. After the tanks were removed, some initial investigation and remediation was done in the area of the former tank pit. This work included advancement of exploratory borings, soil and groundwater sampling, excavation of contaminated soil and follow up confirmatory sampling. Past investigative activities confirm groundwater contamination at your site.

You were instructed in writing by this office to submit a workplan for investigation and remediation of this contamination by January 15, 1991. You were also supplied with a detailed description of the minimum requirements for your site investigation, including installation of at least three groundwater monitoring wells. To date, no workplan for monitoring well installation has been received by this office.

California Health and Safety Code Section 25298(c) requires that you demonstrate to this agency that any releases from your underground tank have been investigated and that corrective or remedial action has been taken. You are required to investigate the full depth and lateral extent of petroleum contamination affecting soil and groundwater at and beyond your site. We require that you submit a work plan that outlines the manner in which subsurface contamination will be investigated and that includes a timetable for completion. You must submit this work plan no later than June 25, 1991.

All work must be performed according to the Regional Water Quality Control Board guidelines, which can be found in the Regional Board Staff Recommendations for Initial Evaluation and Investigation of Underground Tanks, August 1990. Copies of this document can be

George Minami
May 10, 1991
Page 2 of 3

obtained from RWQCB.

At a minimum, you must install three monitoring wells onsite. For each former tank location, at least one well must be installed within 10 feet of the former tank in the down gradient direction. Monitoring

wells must be constructed according to RWQCB guidelines. Wells must be sampled and samples chemically analyzed monthly for a minimum of three months. After three consecutive months of sampling, all monitoring wells must be sampled for analysis at least quarterly for a minimum of one year. Monitor for floating fuel product and analyze for the following dissolved fuel constituents:

- Total Petroleum Hydrocarbons as gasoline (TPHg)
- Total Petroleum Hydrocarbons as diesel (TPHd)
- Benzene (B)
- Toluene (T)
- Ethyl benzene (E)
- Xylenes (X)

A ground water gradient map must be developed for the site. If the gradient (direction and speed) appears to fluctuate, water level measurements must continue monthly until a pattern is established.

A technical report must be submitted within three months of the time that the first sampling results are available. This report must present and interpret the information generated during the initial subsurface investigation. All reports and proposals must be signed by a California-Certified Engineering Geologist, California-Registered Geologist, or a California-Registered Civil Engineer. All proposals, reports, and analytical results pertaining to this investigation and site remediation must be sent to this office and to:

Richard Hiett
RWQCB
2101 Webster St., 4th Floor
Oakland CA 94612

Enclosed is an Underground Storage Tank Contamination Site Report form. You must complete and return this form no later than May 20, 1991 to this office.

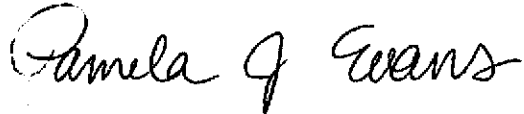
Be aware that Section 13268(a) of the State Water Code states that failure to furnish reports as required by Section 13267(b) is a misdemeanor and provides for civil penalties.

Your original deposit for this agency's oversight of your tank removal and remediation has been exhausted. You must submit an additional

George Minami
May 10, 1991
Page 3 of 3

payment to the County of Alameda of \$500.00. You may contact me with any questions at 271-4320.

Sincerely,



Pamela J. Evans
Hazardous Materials Specialist

Enclosure

c: Gil Jensen, Alameda County District Attorney's Office
Richard Hiatt, RWQCB
Neil Siler, Engineering-Science, Inc.

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



R0218

November 28, 1990

George Minami
29640 Vanderbilt
Hayward CA

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

RE: Soil and Groundwater Contamination at 600 Shirley Av., Hayward

Dear Mr. Minami:

I have reviewed the Gasoline Contamination Remediation/Health and Safety Plan prepared for the above site by Engineering-Science, July 1989. Two underground storage tanks were removed from this location in November 1989, and subsequently, significant fuel contamination was discovered in both soil and groundwater. Such findings require an investigation of the full lateral and vertical extent of the contamination.

We require that you submit a work plan that outlines the manner in which subsurface contamination will be investigated and that includes a timetable for completion. You must submit this work plan **no later than January 15, 1991**. All work must be performed according to the Regional Water Quality Control Board guidelines, which can be found in the **Regional Board Staff Recommendations for Initial Evaluation and Investigation of Underground Tanks**, August 1990. Copies of this document can be obtained from RWQCB.

At a minimum, you must install three monitoring wells onsite. If groundwater gradient has been established, you may install fewer wells, but you must submit complete gradient data. For each former tank location, at least one well must be installed within 10 feet of the former tank in the down gradient direction. Monitoring wells must be constructed according to RWQCB guidelines. Wells must be sampled and samples chemically analyzed monthly for a minimum of three months. After three consecutive months of sampling, all monitoring wells must be sampled for analysis at least quarterly for a minimum of one year. Monitor for floating fuel product and analyze for the following dissolved fuel constituents:

- Total Petroleum Hydrocarbons as gasoline (TPHg)
- Total Petroleum Hydrocarbons as diesel (TPHd)
- Benzene (B)
- Toluene (T)
- Ethyl benzene (E)
- Xylenes (X)

A ground water gradient map must be developed for the site. If the gradient (direction and speed) appears to fluctuate, water level measurements must continue monthly until a pattern is established.

George Minami
November 28, 1990
Page 2 of 2

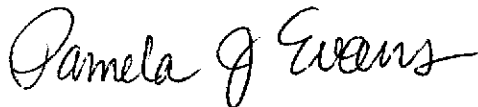
A technical report must be submitted within three months of the time that the first sampling results are available. This report must present and interpret the information generated during the initial subsurface investigation. All reports and proposal must be signed by a California-Certified Engineering Geologist, California-Registered Geologist, or a California-Registered Civil Engineer. All proposals, reports, and analytical results pertaining to this investigation and site remediation must be sent to this office and to:

Richard Hiett
RWQCB
1800 Harrison St., Suite 700
Oakland CA 94612

Enclosed is an **Underground Storage Tank Contamination Site Report** form. You must complete and return this form **no later than December 10, 1990** to this office.

You may contact me with any questions at 271-4320.

Sincerely,



Pamela J. Evans
Hazardous Materials Specialist

Enclosure

c: Richard Hiett, RWQCB
Neil Siler, Engineering-Science, Inc.