

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



F

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

May 15, 2007

Mr. Francisco and Blanca Alvarado
3029 35th Street
Oakland, CA 94619

Subject: Fuel Leak Case No. RO0000271, Exxon Service Station, 3055 35th Avenue, Oakland, California

Dear Mr. Alvarado:

Under the direction of this office, Mr. Lynn Worthington is conducting an environmental investigation for a property located at 3055 35th Avenue, Oakland, CA. Groundwater contamination has been detected in monitoring wells near your property. The extent of the groundwater contamination is currently unknown but potentially could extend beneath your property. Alameda County Environmental Health is requiring Mr. Lynn Worthington to characterize the extent of contamination from their site. Conestoga Rover Associates, on behalf of Mr. Lynn Worthington, previously submitted an access agreement to you to allow exploratory borings at 3029 35th Street, Oakland. It is imperative that this access agreement be resolved in order to define the extent of contamination and prevent future contaminant migration.

Owners of adjacent properties are generally not responsible for the cost of investigation and cleanup of contamination that migrates onto their property from an adjacent fuel leak site. However, owners of adjacent properties are expected to cooperate with the responsible party's investigation and cleanup activities to the extent that they are not experiencing undue hardship or alteration to their property. To date, you have not responded to requests to provide reasonable access to your property.

These requests are made pursuant to Water Code Section 13267, which allows ACEH to require technical reports from persons whose activities may have an impact on water quality. You may be subject to administrative civil liability of up to \$1,000 per day pursuant to Water Code Section 13268 if you fail to respond, respond late, or submit an inadequate response.

Please contact me at (510) 383-1767 or via email at <mailto:steven.plunkett@acgov.org> with any questions regarding this case.

Sincerely,

Steven Plunkett
Hazardous Materials Specialist

cc: Mr. Lynn Worthington
Golden Empire Properties, Inc.
5942 MacArthur Blvd. Suite B
Oakland, CA 94605

Mr. Francisco and Blanca Alvarado
May 15, 2007
Page 2

Mark Jonas
Cambria Environmental Technology, Inc.
5900 Hollis Street, Suite A
Emeryville, CA 94605

Donna Drogos, ACEH
Steven Plunkett, ACEH
File

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1131 Harbor Bay Parkway, Suite 250
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FAX (510) 337-9335

May 15, 2007

Mr. Jose and Sandra Mendoza
3027 35th Street
Oakland, CA 94619

Subject: Fuel Leak Case No. RO0000271, Exxon Service Station, 3055 35th Avenue, Oakland, California

Dear Mr. Mendoza:

Under the direction of this office, Mr. Lynn Worthington is conducting an environmental investigation for a property located at 3055 35th Avenue, Oakland, CA. Groundwater contamination has been detected in monitoring wells near your property. The extent of the groundwater contamination is currently unknown but potentially could extend beneath your property. Alameda County Environmental Health is requiring Mr. Lynn Worthington to characterize the extent of contamination from their site. Conestoga Rover Associates, on behalf of Mr. Lynn Worthington, previously submitted an access agreement to you to allow exploratory borings at 3027 35th Street, Oakland. It is imperative that this access agreement be resolved in order to define the extent of contamination and prevent future contaminant migration.

Owners of adjacent properties are generally not responsible for the cost of investigation and cleanup of contamination that migrates onto their property from an adjacent fuel leak site. However, owners of adjacent properties are expected to cooperate with the responsible party's investigation and cleanup activities to the extent that they are not experiencing undue hardship or alteration to their property. To date, you have not responded to requests to provide reasonable access to your property.

These requests are made pursuant to Water Code Section 13267, which allows ACEH to require technical reports from persons whose activities may have an impact on water quality. You may be subject to administrative civil liability of up to \$1,000 per day pursuant to Water Code Section 13268 if you fail to respond, respond late, or submit an inadequate response.

Please contact me at (510) 383-1767 or via email at <mailto:steven.plunkett@acgov.org> with any questions regarding this case.

Sincerely,

Steven Plunkett
Hazardous Materials Specialist

cc: Mr. Lynn Worthington
Golden Empire Properties, Inc.
5942 MacArthur Blvd. Suite B
Oakland, CA 94605

Mr. Jose and Sandra Mendoza
May 15, 2007
Page 2

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

May 15, 2007

Mr. Joe and Lai Yu
3020 Bartlett Street
Oakland, CA 94619

Subject: Fuel Leak Case No. RO0000271, Exxon Service Station, 3055 35th Avenue, Oakland, California

Dear Mr. Yu:

Under the direction of this office, Mr. Lynn Worthington is conducting an environmental investigation for a property located at 3055 35th Avenue, Oakland, CA. Groundwater contamination has been detected in monitoring wells near your property. The extent of the groundwater contamination is currently unknown but potentially could extend beneath your property. Alameda County Environmental Health is requiring Mr. Lynn Worthington to characterize the extent of contamination from their site. Conestoga Rover Associates, on behalf of Mr. Lynn Worthington, previously submitted an access agreement to you to allow exploratory borings at 3020 Bartlett Street, Oakland. It is imperative that this access agreement be resolved in order to define the extent of contamination and prevent future contaminant migration.

Owners of adjacent properties are generally not responsible for the cost of investigation and cleanup of contamination that migrates onto their property from an adjacent fuel leak site. However, owners of adjacent properties are expected to cooperate with the responsible party's investigation and cleanup activities to the extent that they are not experiencing undue hardship or alteration to their property. To date, you have not responded to requests to provide reasonable access to your property.

These requests are made pursuant to Water Code Section 13267, which allows ACEH to require technical reports from persons whose activities may have an impact on water quality. You may be subject to administrative civil liability of up to \$1,000 per day pursuant to Water Code Section 13268 if you fail to respond, respond late, or submit an inadequate response.

Please contact me at (510) 383-1767 or via email at <mailto:steven.plunkett@acgov.org> with any questions regarding this case.

Sincerely,

Steven Plunkett
Hazardous Materials Specialist

cc: Mr. Lynn Worthington
Golden Empire Properties, Inc.
5942 MacArthur Blvd. Suite B
Oakland, CA 94605

Mr. Joe and Lai Yu
May 15, 2007
Page 2

Mark Jonas
Cambria Environmental Technology, Inc.
5900 Hollis Street, Suite A
Emeryville, CA 94605

Donna Drogos, ACEH
Steven Plunkett, ACEH
File

ALAMEDA COUNTY
HEALTH CARE SERVICES

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DAVID J. KEARS, Agency Director



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

May 15, 2007

Mr. Kwai Lee
1461 Broadway Street, Suite 301
San Francisco, CA 94109-2665

Subject: Fuel Leak Case No. RO0000271, Exxon Service Station, 3055 35th Avenue, Oakland, California

Dear Mr. Lee:

Under the direction of this office, Mr. Lynn Worthington is conducting an environmental investigation for a property located at 3055 35th Avenue, Oakland, CA. Groundwater contamination has been detected in monitoring wells near your property. The extent of the groundwater contamination is currently unknown but potentially could extend beneath your property. Alameda County Environmental Health is requiring Mr. Lynn Worthington to characterize the extent of contamination from their site. Conestoga Rover Associates, on behalf of Mr. Lynn Worthington, previously submitted an access agreement to you to allow exploratory borings at 3015-3021 35th Street, Oakland. It is imperative that this access agreement be resolved in order to define the extent of contamination and prevent future contaminant migration.

Owners of adjacent properties are generally not responsible for the cost of investigation and cleanup of contamination that migrates onto their property from an adjacent fuel leak site. However, owners of adjacent properties are expected to cooperate with the responsible party's investigation and cleanup activities to the extent that they are not experiencing undue hardship or alteration to their property. To date, you have not responded to requests to provide reasonable access to your property.

These requests are made pursuant to Water Code Section 13267, which allows ACEH to require technical reports from persons whose activities may have an impact on water quality. You may be subject to administrative civil liability of up to \$1,000 per day pursuant to Water Code Section 13268 if you fail to respond, respond late, or submit an inadequate response.

Please contact me at (510) 383-1767 or via email at <mailto:steven.plunkett@acgov.org> with any questions regarding this case.

Sincerely,

Steven Plunkett
Hazardous Materials Specialist

cc: Mr. Lynn Worthington
Golden Empire Properties, Inc.
5942 MacArthur Blvd. Suite B
Oakland, CA 94605

Mr. Kwai Lee
May 15, 2007
Page 2

Mark Jonas
Cambria Environmental Technology, Inc.
5900 Hollis Street, Suite A
Emeryville, CA 94605

Donna Drogos, ACEH
Steven Plunkett, ACEH
File

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



F

March 1, 2007

Mr. Lynn Worthington
Golden Empire Properties, Inc.
5942 MacArthur Blvd. Suite B
Oakland, CA 94605

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

Subject: Fuel Leak Case No. RO0000271, Exxon Service Station, 3055 35th Avenue, Oakland, California – Work Plan Approval

Dear Mr. Worthington:

Alameda County Environmental Health (ACEH) staff has received the letter entitled "Offsite and Soil Gas Work Plan," dated January 12, 2007 and submitted on your behalf by Cambria Environmental Technology Inc. ACEH agrees with the phased approach to evaluate the extent of the dissolved petroleum hydrocarbon plume downgradient of the site. We also agree with the proposed location for soil vapor sampling as recommended by Cambria. However, ACEH does not agree with the boring locations as proposed in Figure 6 (Phase I Offsite Borings).

Prior to the implementation of the Work Plan we request that you address the following technical comments. Submittal of a revised Work Plan is not required if the technical comments are fully incorporated prior to the start of the site investigation. We request that you address the following technical comments, perform the proposed work, and send us the reports requested below.

TECHNICAL COMMENTS

1. **Soil Boring Locations.** Section 5.2 of the Work Plan discusses the location of the soil boring as within 100 feet from each other. As discussed in our December 2006 correspondence, soil boring locations that are up to 100 feet apart are inadequate to constrain the lateral extent of the dissolved hydrocarbon plume. The proposed soils boring locations, in the current configuration, are situated too far apart to properly locate and define the extent of the dissolved plume.

Consequently, ACEH request the eastern most soil borings located adjacent to Bartlett Street be removed. While the soil boring further west, located adjacent to Bartlett Street should be moved approximately 50 feet south of the proposed location. In addition, the southern most soil boring location adjacent to 35th Avenue should be moved approximately 50 feet to the north of its current location. ACEH requests the three remaining soil borings be installed at intervals of approximately 40 feet, between the northern and southernmost soil borings. A total of five soil borings are to be installed along a transect between Bartlett Street and 35th Avenue. The additional soil borings will accurately define plume trajectory downgradient of the site. Prior to implementation of the Work Plan, we request that a revised version of Figure 6 showing the location of proposed soil borings be submitted for our review and concurrence. Should Phase II soil boring be necessary, the boring location should be arranged to reflect the configuration recommended during Phase I soil boring installation.

2. **Additional Onsite Characterization.** Soil and groundwater contamination are well defined onsite, and additional onsite soil characterization is not necessary at this time. However, in the future, additional onsite characterization may be warranted.
3. **Soil and Groundwater Analysis.** ACEH generally agrees with the soil and groundwater sample analysis recommenced by Cambria, with the addition of fuel oxygenates EDB and EDC for both soil and groundwater sample analysis.
4. **Soil Gas Sampling and Analysis.** ACEH concurs with the recommendation for soil gas sampling and analysis as suggested by Cambria in the Work Plan.

TECHNICAL REPORT REQUEST

Please submit technical reports to Alameda County Environmental Health (Attention: Steve Plunkett), according to the following schedule:

- **March 15, 2007** – Revised Figure 6
- **April 30, 2007** – Soil and Groundwater Investigation Report

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

ELECTRONIC SUBMITTAL OF REPORTS

ACEH's Environmental Cleanup Oversight Programs (LOP and SLIC) now request submission of reports in electronic form. The electronic copy is intended to replace the need for a paper copy and is expected to be used for all public information requests, regulatory review, and compliance/enforcement activities. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program FTP site are provided on the attached "Electronic Report Upload Instructions." Submission of reports to the Alameda County FTP site is an addition to existing requirements for electronic submittal of information to the State Water Resources Control Board (SWRCB) Geotracker website. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for groundwater cleanup programs. For several years, responsible parties for cleanup of leaks from underground storage tanks (USTs) have been required to submit groundwater analytical data, surveyed locations of monitoring wells, and other data to the Geotracker database over the Internet. Beginning July 1, 2005, electronic submittal of a complete copy of all reports is required in Geotracker (in PDF format). Please visit the State Water Resources Control Board for more information on these requirements (http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting).

PERJURY STATEMENT

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

signed by an officer or legally authorized representative of your company. Please include a cover letter satisfying these requirements with all future reports and technical documents submitted for this fuel leak case.

PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

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

UNDERGROUND STORAGE TANK CLEANUP FUND

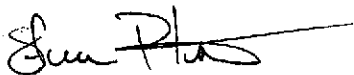
Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

AGENCY OVERSIGHT

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

If you have any questions, please call me at (510) 383-1767.

Sincerely,



Steven Plunkett
Hazardous Materials Specialist

cc: Mark Jonas
Cambria Environmental Technology, Inc.
5900 Hollis Street, Suite A
Emeryville, CA 94605

Donna Drogos, ACEH
Steven Plunkett, ACEH
File

Ro271

Plunkett, Steven, Env. Health

From: Jonas, Mark [mjonas@cambria-env.com]
Sent: Monday, January 22, 2007 1:08 PM
To: Plunkett, Steven, Env. Health
Subject: Authorization for Onsite Characterization - 3055 35th Ave, FLC #RO0000271

Dear Steven:

I hope all is going well with you. I had called and left a message.

In summary, we request to perform additional onsite characterization at the Golden Empire Properties (Worthington) site at 3055 35th Avenue, in Oakland, California, Fuel Leak Case #RO0000271. This should provide us with a current baseline for on-site soil. Most previous soil samples were collected in 1991, 1994, and some in 1997. In addition, remedial efforts have been performed and current soil characterization should help to determine the effectiveness of the remediation.

We request your authorization to meet the requirement for reimbursement under the UST Fund. After we receive your authorization, we will present an Onsite Characterization Work Plan.

Please authorize onsite characterization for the Golden Empire Properties site, Fuel Leak Case #RO0000271.

Sincerely,

Mark Jonas

Mark Jonas, P.G.

Senior Project Manager, x-107

Cambria Environmental Technology, Inc.

5900 Hollis Street, Suite A, Emeryville, California 94608

510/420-3307; 510/420-9170 fax

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ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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

December 6, 2006

Mr. Lynn Worthington
Golden Empire Properties, Inc.
5942 MacArthur Blvd. Suite B
Oakland, CA 94605

Subject: Fuel Leak Case No. [REDACTED] 1, Exxon Service Station, 3055 35th Avenue, Oakland, California.

Dear Mr. Worthington:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above referenced site and the letter entitled "Request for Reconsideration of Recommendations," dated October 17, 2006 and submitted on your behalf by Cambria Environmental Technology Inc. The "Request for Reconsideration of Recommendations," states that the proposed soil boring locations should define if the plume is contained. Based on our review of the case file and above referenced letter, we find that the proposed soil boring locations will not provide information to adequately characterize petroleum hydrocarbon contamination **immediately downgradient** of the subject site. Consequently, the Work Plan and proposed soil boring locations are rejected in their current form and require revision.

We request the following revisions to the work plan, which are described in the technical comments below. Therefore, we request that you address the technical comments below and submit a revised work plan to ACEH.

TECHNICAL COMMENTS

- 1. Soil Boring Locations.** To accurately characterize the downgradient extent of the dissolved petroleum hydrocarbon plume, ACEH requires soil borings to be installed between residences at 3039 to 3001 35th Ave. and 3044 to 3000 Bartlett Street. **We request that you immediately pursue any off-site access agreements that you may need to complete proposed investigation activities.** Following submittal of your work plan, with revised soil boring locations, we will mail a letter (see Attachment 1) to owners of the neighboring properties where you propose to perform investigation activities. In order to expedite the off-site access notification process, please provide ACEH with a list of owners/occupants for the following residences; 3001, 3007, 3017 (Apartments 3015, 3017, 3019, 3021) 3027, 3029, 3033, and 3039 35th Avenue and 3000, 3006, 3014, 3020, 3026, 3032, 3038 and 3044 Bartlett Street.

As mentioned in previous correspondence dated October 4, 2006, the linear separation between the proposed soil borings is 100 feet or more, which is inadequate to constrain the lateral distribution of the contamination plume. Of particular concern is MTBE, which is highly

soluble, very mobile in groundwater and not readily biodegradable. The proposed soil boring locations are located too far apart to properly locate and define the extent of the MTBE plume. MTBE plumes can be long, narrow, and erratic (meandering). Moreover, ACEH consider the proposed soil borings, which are more than 250 feet from the source area, too distant from the source area to define the extent of soil and groundwater contamination or plume geometry down-gradient of the site. The intention of the investigation is to define the lateral extent of contamination immediately down-gradient of the site, and thus determine where subsurface contamination is a concern. While the proposed soil borings may define whether the plume has traveled more than 250 feet from the site, the borings will not provide useful information to define the down-gradient plume extent with any accuracy. Conventional investigation methods would evaluate the source area, and then step out from the source area in a systematic manner until the distal end of the contamination plume is determined. ACEH request that the soil and groundwater investigation be performed directly downgradient of the site to evaluate the extent of contamination beneath the residences and the potential risks posed to residents.

- 2. Soil Gas Investigation and Vapor Intrusion Pathway.** Soil and groundwater contamination are well documented on site, but the extent of contamination and the risk to occupants immediately downgradient of the site is unknown. The proposed soil gas investigation will evaluate the potential risk associated from the vapor intrusion pathway at southwest property limit of the site. ACEH agrees that a soil gas investigation is needed to resolve the data gap identified in the SCM.

TECHNICAL REPORT REQUEST

Please submit technical reports to Alameda County Environmental Health (Attention: Steve Plunkett), according to the following schedule:

- **December 21, 2006** – Revised Work Plan for Offsite Soil and Groundwater Investigation and Onsite Soil Gas Investigation

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

ELECTRONIC SUBMITTAL OF REPORTS

ACEH's Environmental Cleanup Oversight Programs (LOP and SLIC) now request submission of reports in electronic form. The electronic copy is intended to replace the need for a paper copy and is expected to be used for all public information requests, regulatory review, and compliance/enforcement activities. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program FTP site are provided on the attached "Electronic Report Upload Instructions." Submission of reports to the Alameda County FTP site is an addition to existing requirements for electronic submittal of information to the State Water Resources Control Board (SWRCB) Geotracker website. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for groundwater cleanup programs. For several years, responsible parties for cleanup of leaks from underground storage

tanks (USTs) have been required to submit groundwater analytical data, surveyed locations of monitoring wells, and other data to the Geotracker database over the Internet. Beginning July 1, 2005, electronic submittal of a complete copy of all reports is required in Geotracker (in PDF format). Please visit the State Water Resources Control Board for more information on these requirements (http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting).

PERJURY STATEMENT

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

PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

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

UNDERGROUND STORAGE TANK CLEANUP FUND

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

AGENCY OVERSIGHT

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

If you have any questions, please call me at (510) 383-1767.

Sincerely,



Steven Plunkett

Lynn Worthington
December 2, 2006
Page 4

Hazardous Materials Specialist

w/Attachment 1

cc: Mark Jonas
Cambria Environmental Technology, Inc.
5900 Hollis Street, Suite A
Emeryville, CA 94605

Donna Drogos, ACEH
Steven Plunkett, ACEH
File

ATTACHMENT 1

Adjacent Property Owner - Access Cooperation Request
<DATE>

<DATE>

DISTRIBUTION LIST

Subject: Property Access by the Parties Responsible for the Investigation and Cleanup of Petroleum Hydrocarbon and Fuel Oxygenate Pollution at Fuel Leak Case No. <xx-xxx>, <Site Name and Address>

Dear Property Owner:

Alameda County Environmental Health (ACEH) is overseeing the investigation and cleanup of gasoline and the gasoline additives Methyl tert-Butyl Ether (MTBE) and benzene, released from fuel underground storage tanks at the subject site. We are uncertain as to how far the contamination from those tanks has moved.

The ACEH is requiring <RP COMPANY> to investigate and clean up contaminated soil and groundwater at the site to prevent the gasoline, MTBE, and benzene contamination from spreading to other properties or to drinking water sources and reduce the potential threat to human health and the environment. To properly determine the extent of that contamination in groundwater, <RP COMPANY> must perform additional off-site investigation. Therefore, we need your help in allowing access to your property by <RP COMPANY> to properly define the extent of contamination.

If you have any questions, please contact <RP CONTACT> at <RP COMPANY> at <RP PHONE NUMBER>. Thank you for your cooperation.

Sincerely,

<CASEWORKER>
<CASEWORKER TITLE>
LOP Program

cc: <LIA>, with Distribution List

<RP CONTACT>, with Distribution List
<RP COMPANY>
<ADDRESS>
<CITY, STATE ZIP>

D. Drogos, <CASEWORKER>

October 17, 2006

2006 OCT 19 PM 1:51

Mr. Steven Plunkett, Hazardous Materials Specialist
Alameda County Health Care Services Agency, Environmental Health Services
1131 Harbor Bay Parkway, Suite 250
Alameda, California 94502
510/383-1767

Re: **Request for Reconsideration of Recommendations in
October 4, 2006 Regulatory Correspondence.**

Former Exxon Service Station
3055 35th Avenue, Oakland, California
Fuel Leak Case No. RO0000271
Cambria Project No. 130-0105

Alameda County
OCT 19 2006
Environmental Health



Dear Mr. Plunkett,

On behalf of Mr. Lynn Worthington of Golden Empire Properties, Cambria Environmental Technology, Inc. (Cambria) would like you to reconsider some of the recommendations made in your October 4, 2006 letter *Fuel Leak Case NO. RO0000271, Exxon Service Station, 3055 35th Avenue, Oakland, California* for the above referenced site. The agency letter is in response to our July 13, 2006 submittal *Site Conceptual Model and Offsite Work Plan*.

Technical Comment 1. Soil Boring Locations and Hydraulic Gradient

We had recommended collecting grab groundwater samples and possible soil samples (conditional on staining, odor, or elevated PID readings) from six borings downgradient of the site. Based on Figure 6, with historic groundwater gradient directions, and Figure 9, in the *Site Conceptual Model and Offsite Work Plan*, the closest proposed boring OS1 is located approximately 240 feet from the site and also is apparently downgradient of the site. All the other proposed borings are further from the site. But even though the proposed borings are at a distance from the site, it should hopefully define if the plume is contained. In addition, all the proposed offsite borings are on public property (roadway, side walk). This would avoid unnecessarily alarming the residential property owners and we would not need to negotiate, typically time consuming, access agreements.

Two potential risk pathways are defined in the July 13, 2006 report: vapor intrusion and groundwater as a drinking water resource. Based on a 2,000 foot well survey, no domestic use or irrigation wells are located in the block bound by the proposed borings and site. Therefore, the "groundwater as a drinking water resource" is not a current risk pathway for the city block bound by the proposed borings and site. As recommended, we will present a scope of work to characterize soil gas along the southwestern boundary of the site. This will help to determine if vapor intrusion is a potential risk pathway. If staining, odor, or elevated PID readings are encountered, soil samples will also be collected and analyzed to define soil conditions at the downgradient edge of the site.

Cambria
Environmental
Technology, Inc.

5900 Hollis Street
Suite A
Emeryville, CA 94608
Tel (510) 420-0700
Fax (510) 420-9170

So, our approach is based on 1/ defining if the plume is contained and 2/ defining potential risk from vapor intrusion. If vapor intrusion is not a significant risk (based on vapor samples collected along the southwest and downgradient boundary of the site) and the plume is contained (based on the proposed borings), this should provide some of the regulatory foundation for closure.

Therefore, we recommend sampling the borings proposed in the July 13, 2006 offsite work plan and adding soil vapor sampling with justified soil sampling along the southwest boundary of the site.

Technical Report Request

A schedule of November 15, 2006 for a *Revised Work Plan for Offsite Investigation and Onsite Soil Gas Investigation* is proposed in the October 4, 2006 ACEH letter. We just received a copy of the (corrected) October 4, 2006 letter. We needed time to discuss the letter with our client. We will also need time for an approved budget and to produce the report. Therefore, we recommend a regulatory deadline of December 20, 2006 for the recommended report.

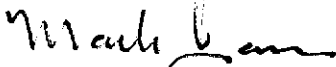
Concluding Statement

We consider that our proposed approach is reasonable, evaluates risk, and should define if the plume is currently contained. We can discuss any of these issues, including having a meeting in your office. Please contact me at (510) 420-3307 or Ron Scheele at (510) 420-3327 so we can resolve the issues presented in the correspondence.

Thank you for your time and consideration

Sincerely,

Cambria Environmental Technology, Inc.



Mark Jonas, P.G.
Senior Project Manager



Attachment: October 4, 2006 ACEH Letter.

cc: Mr. Lynn Worthington, Golden Empire Properties, Inc. 5942 MacArthur Blvd., Suite B, Oakland, CA 94605
Ms. Julie Rose, McNichols Randick O'Dea & Tooliatos, 5000 Hopyard Road, Suite 400 Pleasanton, CA 94588

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



7

ENVIRONMENTAL HEALTH SERVICES

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

October 4, 2006

Mr. Lynn Worthington
Golden Empire Properties, Inc.
5942 MacArthur Blvd. Suite B
Oakland, CA 94605

Subject: Fuel Leak Case No. [REDACTED] Exxon Service Station, 3055 35th Avenue, Oakland, California.

Dear Mr. Worthington:

Alameda County Environmental Health (ACEH) staff has reviewed the recently submitted document entitled, "Site Conceptual Model and Offsite Work Plan," dated July 13, 2006. The scope of work for the Work Plan proposes the installation of 6 off site soil borings placed downgradient of the former Exxon Service Station. ACEH does not consider the proposed soil boring location appropriate to accurately characterize the downgradient trend of the dissolved petroleum hydrocarbon plume. Consequently, the Work Plan and proposed soil boring locations should be revised to accurately reflect the historical groundwater gradient and potential dissolved hydrocarbon plume conditions downgradient of the subject property.

Based on our review of the case file and Work Plan, we request the following revisions to the work plan, which are described in the technical comments below. Therefore, we request that you address the technical comments below and submit a revised work plan to ACEH.

TECHNICAL COMMENTS

1. **Soil Boring Locations and Hydraulic Gradient.** Historically, the hydraulic gradient at the site has been primarily toward the west with a minor southerly component. The proposed soil boring locations in their current configuration will not provide an accurate assessment of groundwater conditions downgradient of the source area. Currently, the nearest soil boring location OS1 is approximately 300 feet cross gradient of the site, while soil boring OS6 is approximately 600 feet downgradient from the subject site. The linear separation between the soil borings, as they are currently located, and the source area at the subject site is such that the soil borings will not be useful for either site characterization purposes or for the delineation of the dissolved petroleum hydrocarbon plume. Please revise the proposed location of borings OS1 through OS6 and present your rationale for choosing boring locations that will accurately delineate the soil and groundwater contamination immediately downgradient of your site in the Revised Work Plan requested below.
2. **Soil Gas Sampling and Data Gap Evaluation.** Given that the vapor intrusion pathway has not been evaluated, ACEH agrees a soil gas investigation in the vicinity of the western property boundary could be useful to evaluate potential vapor intrusion migration pathways for the adjacent residents. Please present a detailed plan to perform a soil gas investigation

in conjunction with the offsite soil and groundwater investigation. Please include your proposal for the soil gas investigation in the Revised Work Plan requested below.

3. **Soil, Soil Gas and Groundwater Sample Analysis.** All soil and groundwater samples collected during soil and soil gas investigation are to be analyzed for TPHg and TPHd by EPA Method 8015M or 8260, BTEX, EDB, EDC, MtBE, TAME, ETBE, DIPE, TBA and EtOH by EPA Method 8260 and total lead. Please present the results from the soil and groundwater sampling in the SWI report requested below.

TECHNICAL REPORT REQUEST

Please submit technical reports to Alameda County Environmental Health (Attention: Steve Plunkett), according to the following schedule:

- **November 15, 2006** – Revised Work Plan for Offsite Soil and Groundwater Investigation and Onsite Soil Gas Investigation
- **90 Days After Completion of Soil and Groundwater Investigation** – Offsite Soil and Groundwater Investigation and Onsite Soil Gas Investigation Report

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

ELECTRONIC SUBMITTAL OF REPORTS

ACEH's Environmental Cleanup Oversight Programs (LOP and SLIC) now request submission of reports in electronic form. The electronic copy is intended to replace the need for a paper copy and is expected to be used for all public information requests, regulatory review, and compliance/enforcement activities. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program FTP site are provided on the attached "Electronic Report Upload Instructions." Submission of reports to the Alameda County FTP site is an addition to existing requirements for electronic submittal of information to the State Water Resources Control Board (SWRCB) Geotracker website. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for groundwater cleanup programs. For several years, responsible parties for cleanup of leaks from underground storage tanks (USTs) have been required to submit groundwater analytical data, surveyed locations of monitoring wells, and other data to the Geotracker database over the Internet. Beginning July 1, 2005, electronic submittal of a complete copy of all reports is required in Geotracker (in PDF format). Please visit the State Water Resources Control Board for more information on these requirements (http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting).

PERJURY STATEMENT

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

Lynn Worthington
October 2, 2006
Page 3

signed by an officer or legally authorized representative of your company. Please include a cover letter satisfying these requirements with all future reports and technical documents submitted for this fuel leak case.

PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

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

UNDERGROUND STORAGE TANK CLEANUP FUND

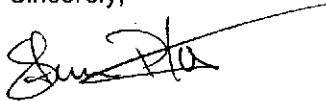
Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

AGENCY OVERSIGHT

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

If you have any questions, please call me at (510) 383-1767.

Sincerely,



Steven Plunkett
Hazardous Materials Specialist

cc: Mark Jonas
Cambria Environmental Technology, Inc.
5900 Hollis Stree, Suite A
Emeryville, CA 94605

Donna Drogos, ACEH
Steven Plunkett, ACEH
File

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



7

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

October 3, 2006

Mr. Lynn Worthington
Golden Empire Properties, Inc.
5942 MacArthur Blvd. Suite B
Oakland, CA 94605

Subject: Fuel Leak Case No. [REDACTED] Exxon Service Station, 3055 35th Avenue, Oakland, California.

Dear Mr. Worthington:

Alameda County Environmental Health (ACEH) staff has reviewed the recently submitted document entitled, "Site Conceptual Model and Offsite Work Plan," dated July 13, 2006. The scope of work for the Work Plan proposes the installation of 6 off site soil borings placed downgradient of the former Exxon Service Station. ACEH does not consider the proposed soil boring location appropriate to accurately characterize the downgradient trend of the dissolved petroleum hydrocarbon plume. Consequently, the Work Plan and proposed soil boring locations should be revised to accurately reflect the historical groundwater gradient and potential dissolved hydrocarbon plume conditions downgradient of the subject property.

Based on our review of the case file and Work Plan, we request the following revisions to the work plan, which are described in the technical comments below. Therefore, we request that you address the technical comments below and submit a revised work plan to ACEH.

TECHNICAL COMMENTS

1. **Soil Boring Locations and Hydraulic Gradient.** Historically, the hydraulic gradient at the site has been primarily toward the west with a minor southerly component. The proposed soil boring locations in their current configuration will not provide an accurate assessment of groundwater conditions downgradient of the source area. Currently, the nearest soil boring location OS1 is approximately 300 feet cross gradient of the site, while soil boring OS6 is approximately 600 feet downgradient from the subject site. The linear separation between the soil borings, as they are currently located, and the source area at the subject site is such that the soil borings will not be useful for either site characterization purposes or for the delineation of the dissolved petroleum hydrocarbon plume. Please revise the proposed location of borings OS1 through OS6 and present your rationale for choosing boring locations that will accurately delineate the soil and groundwater contamination immediately downgradient of your site.
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- 3. Soil, Soil Gas and Groundwater Sample Analysis.** All soil and groundwater samples collected during soil and soil gas investigation are to be analyzed for TPHg and TPHd by EPA Method 8015M or 8260, BTEX, EDB, EDC, MtBE, TAME, ETBE, DIPE, TBA and EtOH by EPA Method 8260 and total lead. Please present the results from the soil and groundwater sampling in the SWI report requested below.

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Lynn Worthington
October 2, 2006
Page 3

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UNDERGROUND STORAGE TANK CLEANUP FUND

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

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If you have any questions, please call me at (510) 383-1767.

Sincerely,



Steven Plunkett
Hazardous Materials Specialist

cc: Mark Jonas
Cambria Environmental Technology, Inc.
5900 Hollis Street, Suite A
Emeryville, CA 94605

Donna Drogos, ACEH
Steven Plunkett, ACEH
File

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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

October 4, 2006

OCT 10 2006

Mr. Lynn Worthington
Golden Empire Properties, Inc.
5942 MacArthur Blvd. Suite B
Oakland, CA 94605

Subject: Fuel Leak Case No. RO0000271, Exxon Service Station, 3055 35th Avenue, Oakland, California.

Dear Mr. Worthington:

Alameda County Environmental Health (ACEH) staff has reviewed the recently submitted document entitled, "Site Conceptual Model and Offsite Work Plan," dated July 13, 2006. The scope of work for the Work Plan proposes the installation of 6 off site soil borings placed downgradient of the former Exxon Service Station. ACEH does not consider the proposed soil boring location appropriate to accurately characterize the downgradient trend of the dissolved petroleum hydrocarbon plume. Consequently, the Work Plan and proposed soil boring locations should be revised to accurately reflect the historical groundwater gradient and potential dissolved hydrocarbon plume conditions downgradient of the subject property.

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UNDERGROUND STORAGE TANK CLEANUP FUND

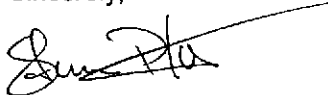
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AGENCY OVERSIGHT

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If you have any questions, please call me at (510) 383-1767.

Sincerely,



Steven Plunkett
Hazardous Materials Specialist

cc: Mark Jonas
Cambria Environmental Technology, Inc.
5900 Hollis Stree, Suite A
Emeryville, CA 94605

Donna Drogos, ACEH
Steven Plunkett, ACEH
File

June 6, 2006

Mr. Steven Plunkett
Alameda County Health Care Services Agency
1131 Harbor Bay Parkway, Suite 250
Alameda, California 94502

Re: **Response to Agency Letter – Technical Comments**
Former Exxon Service Station
3055 35th Avenue
Oakland, California
Cambria Project #130-0105

COPY

Dear Mr. Plunkett,

On behalf of Mr. Lynn Worthington of Golden Empire Properties, Cambria Environmental Technology, Inc. (Cambria) is submitting this response to your letter dated May 16, 2006 (attached) for the above referenced site.

Effective distribution of ozone in subsurface: The site lithology is heterogeneous consisting of interbedded lenses of silty gravel, sands, silty sands, and sandy silts and clays, to the maximum explored depth of 30 feet. Based on Cambria's discussions with vendors, ozone sparging has been effectively used under similar lithologic conditions with closely spaced sparge points. Also, generally gases have better dispersion under pressure compared to under vacuum. Pore spaces in fine grained soils might collapse under vacuum and reduce permeability, while under pressure gases tend to force their way into the formation without any adverse effect on subsurface permeability. For the subject site, ozone sparging is proposed to be conducted under pressure (approximately 10 to 15 psi).

Rationale for sparge point spacing: Based on Cambria's discussions with ozone sparge equipment vendors, a radius of influence ranging between 5 and 15 feet was observed at sites with similar lithologic conditions. Cambria has conservatively used a sparge point spacing of 12 ft (approximately 6 ft radius of influence) for the interim remediation at the site.

Rationale for sparge point screen intervals: Based on soil boring observations and analytical data, hydrocarbon-impacted soil is present within a zone extending from 8 to 30 ft bgs with the highest hydrocarbon concentrations at approximately 15 ft bgs. Since ozone is a gas, it tends to rise through the water column. Hence, the first row of sparge points (SP-1 to SP-3) near the southernmost former pump island were proposed to be screened from 15 to 20 ft bgs. The second row of sparge points (SP-4 to SP-7) were proposed to be screened deeper from 23 to 28 ft bgs to address deeper hydrocarbon impacted soils beneath the site.

Cambria
Environmental
Technology, Inc.

5900 Hollis Street
Suite A
Emeryville, CA 94608
Tel (510) 420-0700
Fax (510) 420-9170

C A M B R I A

Response to Agency Letter – Technical Comments
Former Exxon Service Station
3055 35th Avenue
Oakland, California
June 6, 2006


Sparge point material: Cambria proposes to use schedule 80 PVC well casing and screen instead of stainless steel casing and wire wrapped screen, as originally proposed in our January 30, 2006 *Revised Remediation Work Plan*. Stainless steel casing and wire wrapped screen are very expensive and difficult to handle due to their weight compared to schedule 80 PVC.


Updated Corrective Action Plan: Per telephone conversation between you and Subbarao Nagulapaty of Cambria, an updated Corrective Action Plan (CAP) for the site is not required at this time. Upon evaluating the effectiveness of in-situ chemical oxidation using ozone (ISCO), as proposed in our January 30, 2006 *Revised Remediation Work Plan*, Cambria will update the CAP for the site as appropriate.

Please call Mark Jonas at (510) 420-3307, if you have any questions.

Sincerely,

Cambria Environmental Technology, Inc.


Subbarao Nagulapaty
Project Engineer


Mark Jonas, P.G.
Senior Geologist



Statement of Limitations

Cambria prepared this document for use by our client and appropriate regulatory agencies. It is based partially on information available to Cambria from outside sources and/or in the public domain, and partially on information supplied by Cambria and its subcontractors. Cambria makes no warranty or guarantee, expressed or implied, included or intended in this document, with respect to the accuracy of information obtained from these outside sources or the public domain, or any conclusions or recommendations based on information that was not independently verified by Cambria. This document represents the best professional judgment of Cambria. None of the work performed hereunder constitutes or shall be represented as a legal opinion of any kind or nature.

Attachment: Copy of Agency Correspondence

cc: Mr. Lynn Worthington, Golden Empire Properties, Inc. 5942 MacArthur Boulevard, Suite B, Oakland, California 94605

H:\Worthington - Oakland\Reports\Response to Agency letter 06-2006.doc

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



ENVIRONMENTAL HEALTH SERVICES

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

May 16, 2006

Mr. Lynn Worthington
Golden Empire Properties, Inc.
5942 MacArthur Blvd. Suite B
Oakland, CA 94605

Subject: Fuel Leak Case No. RO0000271, Exxon Service Station, 3055 35th Avenue, Oakland, California.

Dear Mr. Worthington:

Please be advised that I have taken over the above referenced site from Mr. Amir Ghloami. Alameda County Environmental Health Department (ACEH) staff have reviewed the case file and a recently revised work plan received in February 2006 and entitled, "Revised Remediation Work Plan" prepared on your behalf by Cambria Environmental Technology. This letter is in response to the revised work plan. In addition to the report requested below, a Site Conceptual Model (SCM) should be prepared to summarize the site background, history, geology, hydrogeology, and investigation results to date for the site. The SCM also presents conclusions and recommendations for future actions. Lastly, ACEH request that the Corrective Action Plan (CAP) originally prepared in April 1998 be updated to reflect all site remediation activities.

Elevated concentrations of fuel hydrocarbons continue to be detected in groundwater in on-site monitoring wells, of particular concern are benzene concentrations in onsite monitoring wells. It also appears that the fuel hydrocarbon plume has not been adequately defined off site and the trajectory of the plume may be in the path of nearby residences. No monitoring wells or soil boring data exists off-site or downgradient of monitoring wells MW-3, MW-4 or RW-5. In order to assess the extent of dissolved fuel hydrocarbons in soil and groundwater, we request that you prepare a Work Plan to collect soil and groundwater samples offsite along the plume axis to define the extent of contamination in the downgradient direction.

Based on ACEH staff review of the case file, we request that you address the following technical comments and prepare a work plan detailing work to be performed, and send us the reports described below. Please provide 72-hour advance written notification to this office (e-mail preferred to steven.plunkett@acgov.org) prior to the start of field activities.

TECHNICAL COMMENTS

1. **Proposed Interim Remedial Alternative.** In-situ Chemical Oxidation (ISOC) has been proposed as the most cost effective technique to address the remediation goals at the subject site. Previously, Dual Phase Vapor Extraction (DPE) was implemented as the interim remedial alternative. The results of the interim DPE indicate that soils at the site have low permeability to air and groundwater flow, which limits the effectiveness of in-situ remedial technologies. Given hydrogeologic conditions at the site, ACEH is concerned that ISOC using ozone may not have a significant impact because the technique may have limited distribution due to low permability soils. Additionally, several remedial alternatives have been used at the site with varying degrees of success. Please discuss specific soil characteristics, in particular

site with varying degrees of success. Please discuss specific soil characteristics, in particular soil permeability, and how these qualities will allow the effective distribution of ISOC using ozone in the subsurface. In addition, please elaborate on the rationale for your decisions regarding sparge point screen intervals and linear distances. Please present your conclusion in the revised work plan presented below.

Furthermore, ACEH recommends updating the Corrective Action Plan (CAP) prepared in April 1998 to reflect all remediation activities that have occurred at the site, as ISOC and ozone sparging was not a recommended remedial alternative in the original CAP. The updated CAP should recommend several technically and economically feasible methods to meet cleanup objective leading to site closure. The CAP must also discuss monitoring and evaluation of remedial alternatives in order to demonstrate the efficacy of the chosen remediation method leading to the completion of corrective actions. Please see 23 CCR Section 2726 for CAP preparation guidelines. Please propose a schedule for implementing the corrective action plan in the work plan requested below.

2. **Preparation of Site Conceptual Model.** The SCM for this project is to incorporate, but not be limited to, the following:
 - A. A concise narrative discussion of the regional geologic and hydrogeologic setting. Include a list of technical references you reviewed.
 - B. A concise discussion of the on-site and off-site geology, hydrogeology, release source and history, secondary source areas, remediation status, risk assessment, plume migration, attenuation mechanisms, preferential pathways, and potential threat to downgradient receptors. The SCM shall include an analysis of the hydraulic flow system at and downgradient from the site, including potential vertical hydraulic gradients.
 - C. Local and regional maps showing location of sources, extent of soil and groundwater contamination for appropriate depth intervals (i.e., an interpretive drawings and isoconcentration maps—not a plot of laboratory results), rose diagram of recent and historical groundwater gradients, and locations of receptors. "Receptors" include, but are not limited to, all supply wells and surface water bodies within 2,000 feet of the source area, and all potentially impacted schools, hospitals, daycare facilities, residences, and other areas of heightened concern for vapor impact.
 - D. Geologic cross-sections, which include an interpretive drawing of the vertical extent of soil and groundwater contamination (i.e., an interpretive drawing—not a plot of laboratory results). The SCM report requested below is to include one cross section parallel and one cross section perpendicular to the contaminant plume axis. Each cross section should include, but not be restricted to, the following:
 1. Subsurface geologic features, depth to groundwater and man-made conduits.
 2. Surface topography. The cross sections should be extended off-site where necessary to show significant breaks in slope.
 3. Soil descriptions for all borings and wells along the line of section.
 4. Screen and filter pack intervals for each monitoring well.
 5. Sampling locations and results for soil and grab groundwater samples.
 6. Site features such as the tank pit, dispensers, etc.
 7. Where appropriate, monitoring well location and soil boring locations will be projected back to the strike of the cross section line.

- E. Temporal changes in the plume location and concentrations are also a key element of the SCM. In addition to providing a measure of the magnitude of the problem, these data are often useful to confirm details of the flow system inferred from the hydraulic head measurements.
- F. Exposure evaluation flowchart (similar to Figure 2 in ASTM's Standard Guide for Risk-Based Corrective Action Applied at Petroleum Release Sites) and/or a graphical SCM (similar to Figure 1 in the Central Valley Regional Water Quality Control Board's Appendix A – Reports, Tri - Regional Board Staff Recommendations For Preliminary Investigation And Evaluation Of Underground Tank Sites, 16 April 2004).
- G. Plots of chemical concentrations vs. time and vs. distance from the source. Plots should be shown for each monitoring well, which has had detectable levels of contaminants.
- H. Summary tables of chemical concentrations in each historically sampled media (including soil, groundwater and soil vapor).
- I. Boring and well logs (including construction/screening), and a summary table indicating construction specifications for each monitoring and extraction well.
- J. Identification and listing of specific data gaps that require further investigation during subsequent phases of work.

Please prepare and present the SCM in the report requested below.

3. **Proposed activities to investigate and fill data gaps identified above.**

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ACEH requests soil and groundwater samples be collected off site and down gradient of the site on 35th Avenue. All soils from the boreholes are to be examined for staining and odor and are to be screened using a PID. Soil samples are to be collected from any interval where staining, odor, or elevated PID readings are observed. If no staining, odor, or elevated PID readings are observed, soil sample are to be collected from each boring at the capillary fringe, where groundwater is first encountered and at five foot intervals until total depth of the boring is reached. After soil sampling has been completed grab groundwater samples should be collected from the soil boring. All soil and groundwater samples are to be analyzed for TPHg, BTEX and fuel oxygenates including TAME, ETBE, DIPE, TBA AND EtOH using EPA methods 8015M and 8260B, respectively. Please prepare a work plan detailing the proposed investigation and requested below.

5. **Quarterly Groundwater Monitoring.** ACEH recommends sampling wells MW-1 through MW-4 and recovery wells RW-5 through RW-9, RW-11 and RW-12 on a quarterly basis after interim remediation and off site investigation. However, should contamination remain at levels currently detected on site, groundwater monitoring may need to continue into the future and

other forms of remediation may need to be considered to reduce the concentrations of dissolved petroleum hydrocarbon in the subsurface.

TECHNICAL REPORT REQUEST

Please submit technical reports to Alameda County Environmental Health (Attention: Mr. Steven Plunkett), according to the following schedule:

- **June 15, 2006** – Updated Corrective Action Plan
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These reports are being requested pursuant to California Health and Safety Code Section 25296.10. 23 CCR Sections 2652 through 2654, and 2721 through 2728 outline the responsibilities of a responsible party in response to an unauthorized release from a petroleum UST system, and require your compliance with this request.

ELECTRONIC SUBMITTAL OF REPORTS

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

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PERJURY STATEMENT

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

PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

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

UNDERGROUND STORAGE TANK CLEANUP FUND

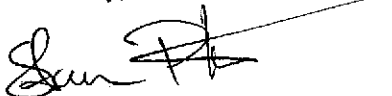
Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

AGENCY OVERSIGHT

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

If you have any questions, please call me at (510) 383-1767.

Sincerely,



Steven Plunkett
Hazardous Materials Specialist

Mr. Lynn Worthington
May 8, 2006
Page 6

cc: Mr. Subbarao Nagulapaty
Cambria Environmental Technology, Inc.
5900 Hollis Street, Suite A
Emeryville, Ca 94608

Donna Drogos, ACEH
Steven Plunkett, ACEH
File

**Alameda County Environmental Cleanup
Oversight Programs
(LOP and SLIC)**

ISSUE DATE: July 5, 2005

REVISION DATE: December 16, 2005

PREVIOUS REVISIONS: October 31, 2005

SECTION: Miscellaneous Administrative Topics & Procedures

SUBJECT: Electronic Report Upload (ftp) Instructions

Effective **January 31, 2006**, the Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC) require submission of all reports in electronic form to the county's ftp site. Paper copies of reports will no longer be accepted. The electronic copy replaces the paper copy and will be used for all public information requests, regulatory review, and compliance/enforcement activities.

REQUIREMENTS

- Entire report including cover letter must be submitted to the ftp site as a **single portable document format (PDF) with no password protection**. (Please do not submit reports as attachments to electronic mail.)
- It is **preferable** that reports be converted to PDF format from their original format, (e.g., Microsoft Word) rather than scanned.
- Signature pages and perjury statements **must** be included and have either original or electronic signature.
- **Do not password protect the document**. Once indexed and inserted into the correct electronic case file, the document will be secured in compliance with the County's current security standards and a password. **Documents with password protection will not be accepted.**
- Each page in the PDF document should be rotated in the direction that will make it easiest to read on a computer monitor.
- Reports must be named and saved using the following naming convention:
RO#_Report Name_Year-Month-Date (e.g., RO#5555_WorkPlan_2005-06-14)

Additional Recommendations

- A separate copy of the tables in the document should be submitted by e-mail to your Caseworker in **Excel** format. These are for use by assigned Caseworker only.

Submission Instructions

- 1) Obtain User Name and Password:
 - a) Contact the Alameda County Environmental Health Department to obtain a User Name and Password to upload files to the ftp site.
 - i) Send an e-mail to dehloptoxic@acgov.org
or
 - ii) Send a fax on company letterhead to (510) 337-9335, to the attention of Alicia Lam-Finneke.
 - b) In the subject line of your request, be sure to include "**ftp PASSWORD REQUEST**" and in the body of your request, include the **Contact Information, Site Addresses, and the Case Numbers (RO# available in Geotracker) you will be posting for.**
- 2) Upload Files to the ftp Site
 - a) Using Internet Explorer (IE4+), go to <ftp://alcoftp1.acgov.org>
 - (i) Note: Netscape and Firefox browsers will not open the FTP site.
 - b) Click on File, then on Login As.
 - c) Enter your User Name and Password. (Note: Both are Case Sensitive.)
 - d) Open "My Computer" on your computer and navigate to the file(s) you wish to upload to the ftp site.
 - e) With both "My Computer" and the ftp site open in separate windows, drag and drop the file(s) from "My Computer" to the ftp window.
- 3) Send E-mail Notifications to the Environmental Cleanup Oversight Programs
 - a) Send email to dehloptoxic@acgov.org notify us that you have placed a report on our ftp site.
 - b) Copy your Caseworker on the e-mail. Your Caseworker's e-mail address is the entire first name then a period and entire last name at acgov.org. (e.g., firstname.lastname@acgov.org)
 - c) The subject line of the e-mail must start with the RO# followed by **Report Upload**. (e.g., Subject: RO1234 Report Upload)

Ro ~~THH~~
~~_____~~

ALAMEDA COUNTY ENVIRONMENTAL HEALTH DEPARTMENT
Division of Environmental Protection

1131 HARBOR BAY PARKWAY, SUITE 250
ALAMEDA, CA 94502-6577
Telephone (510) 567-6700 FAX (510) 337-9335

FACSIMILE COVER SHEET

To: Celina Hernandez

From: Steven Plunkett

510 - 420 - 9170

Date: 5/14/06

Notes: Celina, here are the signed
Well Survey documents that you sent
today.

If you have any questions please call me
at 383-1767

DEPARTMENT OF WATER RESOURCES

CENTRAL DISTRICT
3251 S Street
Sacramento, CA 95816
(916) 227-7632
(916) 227-7600(Fax)

NORTHERN DISTRICT
2440 Main Street
Red Bluff, CA 96080
(530) 529-7300
(530) 529-7322 (Fax)

SAN JOAQUIN DISTRICT
3374 E. Shields Ave Ste A7
Fresno, CA 93726
(559) 230-3300
(559) 230-3301 (Fax)

SOUTHERN DISTRICT
770 Fairmont Avenue
Glendale, CA 91203
(818) 500-1645 ext. 233
(818) 543-4604 (Fax)

WELL COMPLETION REPORT RELEASE AGREEMENT—AGENCY STUDY
(Government Agencies and their Authorized Agents)

Under California Water Code Section 13752, the a agency named below requests permission from Department of Water Resources to inspect or copy, or for our authorized agent named below to inspect or copy, Well Completion Reports filed pursuant to Section 13751 to make a study.

In accordance with Section 13752, information obtained from these reports shall be kept confidential and shall not be disseminated, published, or made available for inspection by the public. The information shall be used only for the purpose of conducting the study. Copies obtained shall be stamped **CONFIDENTIAL** and shall be kept in a restricted file accessible only to agency staff or the authorized agent for this study.

Project Name: _____ County: _____

Street Address: _____ City: _____

Township, Range, and Section: _____ Radius: _____

(Include entire study area and a map that shows the area of interest.)

Authorized Agent Company Name

Government Agency Name

Address

Address

City, State, and Zip Code

City, State, and Zip Code

Authorized Agent Name (please print)

Agency Contact Name (please print)

Signature: _____

Signature: 

Title: _____

Title: _____

Telephone: () _____

Telephone: () _____

FAX: () _____

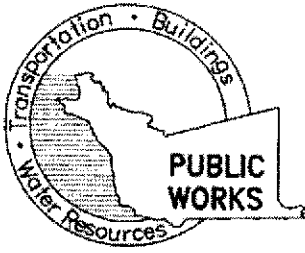
FAX: () _____

Date: _____

Date: _____

E-mail: _____

E-mail: _____



**COUNTY OF ALAMEDA
PUBLIC WORKS AGENCY
WATER RESOURCES SECTION**
399 Elmhurst Street, Hayward, CA 94544-1395
James Yoo PH: (510) 670-6633 FAX: (510) 782-1939
FOR GENERAL DRILLING PERMIT INFO:
www.acgov.org/pwa/wells

WELL COMPLETION REPORT RELEASE AGREEMENT—AGENCY
(Government and Regulatory Agencies and their Authorized Agents)

Project No/ Site Address. _____ City _____

Township, Range, and Section _____ Radius _____
(Must include entire study area and a map that shows the area of interest.)

Under California Water Code Section 13752, the agency named below requests permission from Department of Water Resources to inspect or copy, or for our authorized agent named below to inspect or copy, Well Completion Reports filed pursuant to Section 13751 to (check one):

- Make a study, or,
 Perform an environmental cleanup study associated with an unauthorized release of a contaminant within a distance of 2 miles.

In accordance with Section 13752, information obtained from these reports shall be kept confidential and shall not be disseminated, published, or made available for inspection by the public without written authorization from the owner(s) of the well(s). The information shall be used only for the purpose of conducting the study. Copies obtained shall be stamped **CONFIDENTIAL** and shall be kept in a restricted file accessible only to agency staff or the authorized agent.

Authorized Agent

Government or Regulatory Agency

Address

Address

City, State, and Zip Code

City, State, and Zip Code

Signature

Signature

Title

Title

Telephone ()

Telephone ()

Fax ()

Fax ()

Date

Date

E-mail

E-mail

TRANSMISSION VERIFICATION REPORT

TIME : 06/14/2006 16:11
NAME : ALAMEDA COUNTY DEH
FAX : 5103379335
TEL : 5105676700
SER. # : BROK4J137311

DATE, TIME	06/14 16:10
FAX NO. /NAME	4209170
DURATION	00:00:34
PAGE(S)	03
RESULT	OK
MODE	STANDARD ECM

ALAMEDA COUNTY ENVIRONMENTAL HEALTH DEPARTMENT
Division of Environmental Protection

1131 HARBOR BAY PARKWAY, SUITE 250
ALAMEDA, CA 94502-6577
Telephone (510) 567-6700 FAX (510) 337-9335

F A C S I M I L E C O V E R S H E E T

To: Celina Hernandez

From: Steven Plunkett

510 - 420 - 9170

Date: 6/14/06

271
June 6, 2006

Mr. Steven Plunkett
Alameda County Health Care Services Agency
1131 Harbor Bay Parkway, Suite 250
Alameda, California 94502

Re: **Response to Agency Letter – Technical Comments**
Former Exxon Service Station
3055 35th Avenue
Oakland, California
Cambria Project #130-0105

Alameda County
JUN 09 2006
Environmental Health

Dear Mr. Plunkett,



On behalf of Mr. Lynn Worthington of Golden Empire Properties, Cambria Environmental Technology, Inc. (Cambria) is submitting this response to your letter dated May 16, 2006 (attached) for the above referenced site.

Effective distribution of ozone in subsurface: The site lithology is heterogeneous consisting of interbedded lenses of silty gravel, sands, silty sands, and sandy silts and clays, to the maximum explored depth of 30 feet. Based on Cambria's discussions with vendors, ozone sparging has been effectively used under similar lithologic conditions with closely spaced sparge points. Also, generally gases have better dispersion under pressure compared to under vacuum. Pore spaces in fine grained soils might collapse under vacuum and reduce permeability, while under pressure gases tend to force their way into the formation without any adverse effect on subsurface permeability. For the subject site, ozone sparging is proposed to be conducted under pressure (approximately 10 to 15 psi).

Rationale for sparge point spacing: Based on Cambria's discussions with ozone sparge equipment vendors, a radius of influence ranging between 5 and 15 feet was observed at sites with similar lithologic conditions. Cambria has conservatively used a sparge point spacing of 12 ft (approximately 6 ft radius of influence) for the interim remediation at the site.

Rationale for sparge point screen intervals: Based on soil boring observations and analytical data, hydrocarbon-impacted soil is present within a zone extending from 8 to 30 ft bgs with the highest hydrocarbon concentrations at approximately 15 ft bgs. Since ozone is a gas, it tends to rise through the water column. Hence, the first row of sparge points (SP-1 to SP-3) near the southernmost former pump island were proposed to be screened from 15 to 20 ft bgs. The second row of sparge points (SP-4 to SP-7) were proposed to be screened deeper from 23 to 28 ft bgs to address deeper hydrocarbon impacted soils beneath the site.

**Cambria
Environmental
Technology, Inc.**

5900 Hollis Street
Suite A
Emeryville, CA 94608
Tel (510) 420-0700
Fax (510) 420-9170

Sparge point material: Cambria proposes to use schedule 80 PVC well casing and screen instead of stainless steel casing and wire wrapped screen, as originally proposed in our January 30, 2006 *Revised Remediation Work Plan*. Stainless steel casing and wire wrapped screen are very expensive and difficult to handle due to their weight compared to schedule 80 PVC.


Updated Corrective Action Plan: Per telephone conversation between you and Subbarao Nagulapaty of Cambria, an updated Corrective Action Plan (CAP) for the site is not required at this time. Upon evaluating the effectiveness of in-situ chemical oxidation using ozone (ISCO), as proposed in our January 30, 2006 *Revised Remediation Work Plan*, Cambria will update the CAP for the site as appropriate.

Please call Mark Jonas at (510) 420-3307, if you have any questions.

Sincerely,

Cambria Environmental Technology, Inc.


Subbarao Nagulapaty
Project Engineer


Mark Jonas, P.G.
Senior Geologist



Statement of Limitations

Cambria prepared this document for use by our client and appropriate regulatory agencies. It is based partially on information available to Cambria from outside sources and/or in the public domain, and partially on information supplied by Cambria and its subcontractors. Cambria makes no warranty or guarantee, expressed or implied, included or intended in this document, with respect to the accuracy of information obtained from these outside sources or the public domain, or any conclusions or recommendations based on information that was not independently verified by Cambria. This document represents the best professional judgment of Cambria. None of the work performed hereunder constitutes or shall be represented as a legal opinion of any kind or nature.

Attachment: Copy of Agency Correspondence

cc: Mr. Lynn Worthington, Golden Empire Properties, Inc. 5942 MacArthur Boulevard, Suite B, Oakland, California 94605

H:\Worthington - Oakland\Reports\Response to Agency letter 06-2006.doc

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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

May 16, 2006

Mr. Lynn Worthington
Golden Empire Properties, Inc.
5942 MacArthur Blvd. Suite B
Oakland, CA 94605

Subject: Fuel Leak Case No. RO0000271, Exxon Service Station, 3055 35th Avenue, Oakland, California.

Dear Mr. Worthington:

Please be advised that I have taken over the above referenced site from Mr. Amir Ghloami. Alameda County Environmental Health Department (ACEH) staff have reviewed the case file and a recently revised work plan received in February 2006 and entitled, "Revised Remediation Work Plan" prepared on your behalf by Cambria Environmental Technology. This letter is in response to the revised work plan. In addition to the report requested below, a Site Conceptual Model (SCM) should be prepared to summarize the site background, history, geology, hydrogeology, and investigation results to date for the site. The SCM also presents conclusions and recommendations for future actions. Lastly, ACEH request that the Corrective Action Plan (CAP) originally prepared in April 1998 be updated to reflect all site remediation activities.

Elevated concentrations of fuel hydrocarbons continue to be detected in groundwater in on-site monitoring wells, of particular concern are benzene concentrations in onsite monitoring wells. It also appears that the fuel hydrocarbon plume has not been adequately defined off site and the trajectory of the plume may be in the path of nearby residences. No monitoring wells or soil boring data exists off-site or downgradient of monitoring wells MW-3, MW-4 or RW-5. In order to assess the extent of dissolved fuel hydrocarbons in soil and groundwater, we request that you prepare a Work Plan to collect soil and groundwater samples offsite along the plume axis to define the extent of contamination in the downgradient direction.

Based on ACEH staff review of the case file, we request that you address the following technical comments and prepare a work plan detailing work to be performed, and send us the reports described below. Please provide 72-hour advance written notification to this office (e-mail preferred to steven.plunkett@acgov.org) prior to the start of field activities.

TECHNICAL COMMENTS

1. **Proposed Interim Remedial Alternative.** In-situ Chemical Oxidation (ISOC) has been proposed as the most cost effective technique to address the remediation goals at the subject site. Previously, Dual Phase Vapor Extraction (DPE) was implemented as the interim remedial alternative. The results of the interim DPE indicate that soils at the site have low permeability to air and groundwater flow, which limits the effectiveness of in-situ remedial technologies. Given hydrogeologic conditions at the site, ACEH is concerned that ISOC using ozone may not have a significant impact because the technique may have limited distribution due to low permability soils. Additionally, several remedial alternatives have been used at the site with varying degrees of success. Please discuss specific soil characteristics, in particular

site with varying degrees of success. Please discuss specific soil characteristics, in particular soil permeability, and how these qualities will allow the effective distribution of ISOC using ozone in the subsurface. In addition, please elaborate on the rationale for your decisions regarding sparge point screen intervals and linear distances. Please present your conclusion in the revised work plan presented below.

Furthermore, ACEH recommends updating the Corrective Action Plan (CAP) prepared in April 1998 to reflect all remediation activities that have occurred at the site, as ISOC and ozone sparging was not a recommended remedial alternative in the original CAP. The updated CAP should recommend several technically and economically feasible methods to meet cleanup objective leading to site closure. The CAP must also discuss monitoring and evaluation of remedial alternatives in order to demonstrate the efficacy of the chosen remediation method leading to the completion of corrective actions. Please see 23 CCR Section 2726 for CAP preparation guidelines. Please propose a schedule for implementing the corrective action plan in the work plan requested below.

2. **Preparation of Site Conceptual Model.** The SCM for this project is to incorporate, but not be limited to, the following:
 - A. A concise narrative discussion of the regional geologic and hydrogeologic setting. Include a list of technical references you reviewed.
 - B. A concise discussion of the on-site and off-site geology, hydrogeology, release source and history, secondary source areas, remediation status, risk assessment, plume migration, attenuation mechanisms, preferential pathways, and potential threat to downgradient receptors. The SCM shall include an analysis of the hydraulic flow system at and downgradient from the site, including potential vertical hydraulic gradients.
 - C. Local and regional maps showing location of sources, extent of soil and groundwater contamination for appropriate depth intervals (i.e., an interpretive drawings and isoconcentration maps—not a plot of laboratory results), rose diagram of recent and historical groundwater gradients, and locations of receptors. "Receptors" include, but are not limited to, all supply wells and surface water bodies within 2,000 feet of the source area, and all potentially impacted schools, hospitals, daycare facilities, residences, and other areas of heightened concern for vapor impact.
 - D. Geologic cross-sections, which include an interpretive drawing of the vertical extent of soil and groundwater contamination (i.e., an interpretive drawing—not a plot of laboratory results). The SCM report requested below is to include one cross section parallel and one cross section perpendicular to the contaminant plume axis. Each cross section should include, but not be restricted to, the following:
 1. Subsurface geologic features, depth to groundwater and man-made conduits.
 2. Surface topography. The cross sections should be extended off-site where necessary to show significant breaks in slope.
 3. Soil descriptions for all borings and wells along the line of section.
 4. Screen and filter pack intervals for each monitoring well.
 5. Sampling locations and results for soil and grab groundwater samples.
 6. Site features such as the tank pit, dispensers, etc.
 7. Where appropriate, monitoring well location and soil boring locations will be projected back to the strike of the cross section line.

- E. Temporal changes in the plume location and concentrations are also a key element of the SCM. In addition to providing a measure of the magnitude of the problem, these data are often useful to confirm details of the flow system inferred from the hydraulic head measurements.
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Please prepare and present the SCM in the report requested below.

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Mr. Lynn Worthington
May 8, 2006
Page 5

PERJURY STATEMENT

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

PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

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

UNDERGROUND STORAGE TANK CLEANUP FUND

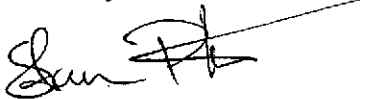
Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

AGENCY OVERSIGHT

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

If you have any questions, please call me at (510) 383-1767.

Sincerely,



Steven Plunkett
Hazardous Materials Specialist

Mr. Lynn Worthington

May 8, 2006

Page 6

cc: Mr. Subbarao Nagulapaty
Cambria Environmental Technology, Inc.
5900 Hollis Street, Suite A
Emeryville, Ca 94608

Donna Drogos, ACEH
Steven Plunkett, ACEH
File

Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)	ISSUE DATE: July 5, 2005
	REVISION DATE: December 16, 2005
	PREVIOUS REVISIONS: October 31, 2005
SECTION: Miscellaneous Administrative Topics & Procedures	SUBJECT: Electronic Report Upload (ftp) Instructions

Effective **January 31, 2006**, the Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC) require submission of all reports in electronic form to the county's ftp site. Paper copies of reports will no longer be accepted. The electronic copy replaces the paper copy and will be used for all public information requests, regulatory review, and compliance/enforcement activities.

REQUIREMENTS

- Entire report including cover letter must be submitted to the ftp site as a **single portable document format (PDF) with no password protection**. (Please do not submit reports as attachments to electronic mail.)
- It is **preferable** that reports be converted to PDF format from their original format, (e.g., Microsoft Word) rather than scanned.
- Signature pages and perjury statements **must** be included and have either original or electronic signature.
- **Do not password protect the document**. Once indexed and inserted into the correct electronic case file, the document will be secured in compliance with the County's current security standards and a password. **Documents with password protection will not be accepted.**
- Each page in the PDF document should be rotated in the direction that will make it easiest to read on a computer monitor.
- Reports must be named and saved using the following naming convention:
RO#_Report Name_Year-Month-Date (e.g., RO#5555_WorkPlan_2005-06-14)

Additional Recommendations

- A separate copy of the tables in the document should be submitted by e-mail to your Caseworker in **Excel** format. These are for use by assigned Caseworker only.

Submission Instructions

- 1) Obtain User Name and Password:
 - a) Contact the Alameda County Environmental Health Department to obtain a User Name and Password to upload files to the ftp site.
 - i) Send an e-mail to dehloptoxic@acgov.org
 - or
 - ii) Send a fax on company letterhead to (510) 337-9335, to the attention of Alicia Lam-Finneke.
 - b) In the subject line of your request, be sure to include "**ftp PASSWORD REQUEST**" and in the body of your request, include the **Contact Information, Site Addresses, and the Case Numbers (RO# available in Geotracker) you will be posting for.**
- 2) Upload Files to the ftp Site
 - a) Using Internet Explorer (IE4+), go to <ftp://alcoftp1.acgov.org>
 - (i) Note: Netscape and Firefox browsers will not open the FTP site.
 - b) Click on File, then on Login As.
 - c) Enter your User Name and Password. (Note: Both are Case Sensitive.)
 - d) Open "My Computer" on your computer and navigate to the file(s) you wish to upload to the ftp site.
 - e) With both "My Computer" and the ftp site open in separate windows, drag and drop the file(s) from "My Computer" to the ftp window.
- 3) Send E-mail Notifications to the Environmental Cleanup Oversight Programs
 - a) Send email to dehloptoxic@acgov.org notify us that you have placed a report on our ftp site.
 - b) Copy your Caseworker on the e-mail. Your Caseworker's e-mail address is the entire first name then a period and entire last name at acgov.org. (e.g., firstname.lastname@acgov.org)
 - c) The subject line of the e-mail must start with the RO# followed by **Report Upload**. (e.g., Subject: RO1234 Report Upload)

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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

December 8, 2004

Lynn Worthington
Golden Empire Properties, Inc.
5942 MacArthur Boulevard, Suite B
Oakland, California 94605-1653

Dear Mr. Worthington:

Subject: Fuel Leak Case No. RO0000271; Exxon Station, 3055 35th Ave., Oakland, CA

Alameda County Environmental Health staff has reviewed "Remediation System Shutdown Notification" dated September 30, 2004 by Cambria Environmental Technology, Inc. This letter asks for a request to prepare a work plan to implement an alternative remedial technique from the Corrective Action Plan (CAP) dated April 8, 1998 by Cambria Environmental Technology, Inc.

TECHNICAL COMMENTS

Work plan to implement an alternative remedial technique - Please submit.

TECHNICAL REPORT REQUEST

Please submit the following technical reports to Alameda County Environmental Health (Attention: Don Hwang), according to the following schedule:

Work plan – February 8, 2004⁵

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

Sincerely,


Don Hwang
Hazardous Materials Specialist
Local Oversight Program

C: Subbarao Nagulapaty, Cambria Environmental Technology, Inc., 5900 Hollis St.,
Suite A, Emeryville, CA 94608
Donna Drogos
Files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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

October 5, 2004

Mr. Lynn Worthington
Golden Empire Properties, Inc.
5942 MacArthur Boulevard, Suite B
Oakland, California 94605

Dear Mr. Worthington:

Subject: Fuel Leak Case No. RO0000271; Exxon Station, 3055 35th Ave., Oakland, CA

Alameda County Environmental Health staff has reviewed "Remediation System Shutdown Notification" dated September 30, 2004 by Cambria Environmental Technology, Inc. This letter acknowledges our approval to shutdown the two-phase extraction system at the above-referenced site and then to seek an alternative remedial technique. We will review your request to include a work plan to implement the selected remedial alternative in the preparation of a Corrective Action Plan (CAP) Addendum.

OTHER COMMENTS

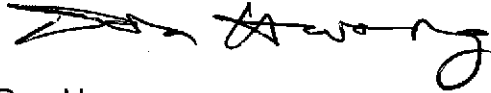
1) Professional Certification - The California Business and Professions Code (Sections 6735, 6835, and 7835.1) requires that work plans and technical or implementation reports containing geologic or engineering evaluations and/or judgments be performed under the direction of an appropriately registered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

2) Perjury Statement - Please note, all work plans and technical reports submitted to this office must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I declare, under penalty of perjury, that the information and/or recommendations contained in the attached proposal or report is true and correct to the best of my knowledge." This letter must be signed by an officer or legally authorized representative of your company. A review of our case file indicates that none of your reports contain a perjury statement. We request that perjury statements be submitted with all future reports for this site.

Mr. Worthington
October 5, 2004
Page 2 of 2

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

Sincerely,

A handwritten signature in black ink, appearing to read "Don Hwang". The signature is written in a cursive style with a large, stylized "H" and "W".

Don Hwang
Hazardous Materials Specialist
Local Oversight Program

C: Subbarao Nagulapaty, Cambria Environmental Technology, Inc., 5900 Hollis St.,
Suite A, Emeryville, CA 94608
Donna Drogos
Files

C A M B R I A

September 30, 2004

VIA USMAIL & FAX (510) 337-9335

Mr. Don Hwang
Alameda County Health Care Services Agency
1131 Harbor Bay Parkway, Suite 250
Alameda, California 94502

Re: **Remediation System Shutdown Notification**
Former Exxon Service Station
3055 35th Avenue
Oakland, California
Cambria Project #130-0105



Dear Mr. Hwang:


On behalf of Mr. Lynn Worthington of Golden Empire Properties, Cambria Environmental Technology, Inc. (Cambria) has prepared this letter confirming your verbal approval to shutdown and remove the two phase extraction (TPE) system at the above-referenced site (site).

As discussed in our conversation on September 29, 2004, continued operation of the existing TPE system is no longer cost-effective based on the low hydrocarbon mass removal rates in vapor and groundwater.

Cambria wishes to implement an alternative remedial technique in order to accelerate cleanup of the site. Please provide written request for the preparation of a Corrective Action Plan (CAP) Addendum in which Cambria will propose an alternative remedial technique. The CAP Addendum will include a work plan to implement the selected remedial alternative which will accelerate site cleanup in accordance with revised cleanup goals.

If you have any questions, please call me at (510) 420-3361.

Sincerely,
Cambria Environmental Technology, Inc.


Subbarao Nagulapaty
Project Engineer

Cambria
Environmental
Technology, Inc.

5900 Hollis Street
Suite A
Emeryville, CA 94608
Tel (510) 420-0700
Fax (510) 420-9170

cc: Mr. Lynn Worthington, Golden Empire Properties, Inc. 5942 MacArthur Boulevard, Suite B, Oakland,
California 94605



State Water Resources Control Board

Division of Financial Assistance

1001 I Street • Sacramento, California 95814
P.O. Box 944212 • Sacramento, California • 94244-2120
(916) 341-5757 • FAX (916) 341-5806 • www.swrcb.ca.gov/cwphome/ustcf

Winston H. Hickox
Secretary for
Environmental
Protection

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our website at www.swrcb.ca.gov.



Gray Davis
Governor

March 4, 2003

Golden Empire Properties, Inc.
5942 Macarthur Blvd
Oakland, CA 94605

**PRE-APPROVAL OF CORRECTIVE ACTION COSTS,
CLAIM NO. 001275, PA # 18
SITE ADDRESS: 3055 35TH AVE, OAKLAND, CA 94602**

I have reviewed your request, received on February 11, 2003, for pre-approval of corrective action costs. I have included a copy of the "Cost Pre-Approval Request" form; please use this form in the future for requesting pre-approval of corrective action costs.

With the following provisions, the total cost pre-approved as eligible for reimbursement for completing the April 8, 1998, Cambria workplan approved by the Alameda County EHD (County) in their June 12, 1998 letter, is \$147,389; see the table below for a breakdown of costs. *(The total amount that has been reimbursed and approved for payment up to this point is \$ 422,425.)*

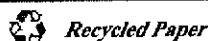
Be aware that this pre-approval does not constitute a decision on reimbursement: **necessary** (as determined by the Fund) corrective action costs for action work **directed and approved by the County** will be eligible for reimbursement at costs consistent with those pre-approved in this letter. However, depending on what happens in the field, some costs may not actually be necessary.

In an effort to expedite future reimbursement requests associated with the implementation of the corrective action tasks pre-approved in this letter, we ask that the attached 'Pre-Approval Specific Reimbursement Request Form' be completed, updated and submitted with each reimbursement request. All relevant supporting documentation must also be included with each reimbursement request.

In order for future costs for corrective action to be part of the expedited reimbursement process, they must be pre-approved in writing by Fund staff.

All costs for corrective action must meet the requirements of Article 11, Chapter 16, Underground Storage Tank Regulations in order to be eligible for reimbursement.

California Environmental Protection Agency



COST PRE-APPROVAL BREAKDOWN

#	Task*	Amount Pre-Approved	Comments
1	QMRs of 4 MWs and System O&M Reports for 4 Events.	\$22,144	This cost includes all time, materials and markups associated with this task. Copies of all sub-invoices and reports must be submitted to the Fund.
2	TPE System O&M for 1 Year, System Rental, PG&E, Analytical & Permits	\$121,285	This cost includes all time, materials and markups associated with this task. Copies of all sub-invoices and permits must be submitted to the Fund.
3	PM	\$3,960	This cost includes all time and materials associated with this task.
	TOTAL PRE-APPROVED	\$147,389	

* Task descriptions are the same as those identified in Cambria's January 27, 2003 cost estimate.

- Only the tasks/costs reflected on the above table are pre-approved at this time. The Fund will review any tasks/costs that go beyond the pre-approved amount to be determined if the additional tasks and costs are necessary and reasonable. However, if costs exceed the above pre-approved amounts, the Fund will be unable to expedite your Reimbursement Request.
- The work products must be acceptable to the County and the Regional Water Quality Control Board.
- If a different scope of work becomes necessary, then you must request pre-approval of costs on the new scope of work.
- Although I have referred to the Cambria proposal in my pre-approval above, please be aware that you will be entering into a private contract: the State of California cannot compel you to sign any specific contract. This letter **pre-approves the costs** as presented in the proposal dated January 27, 2003 by Cambria for conducting the work approved by the County.

I also want to remind you that the Fund's regulations require that you obtain at least three bids, or a bid waiver from Fund staff, from qualified firms for all necessary future corrective action work. If you need assistance in procuring contractor and consultant services, don't hesitate to call me.

Please remember that it is still necessary to submit the actual costs of the work as explained in the Reimbursement Request Instructions to confirm that the costs are consistent with this pre-approval before you will be reimbursed. ***Please insure that your consultant prepares their invoices to include the required breakdown of costs on a time and materials basis, that invoiced tasks are consistent with the original proposal, and that reasonable explanations are provided for any changes made in the scope of work or increases in the costs. When the invoices are submitted you must include copies of all:***

- *subcontractor invoices,*
- *technical reports, when available, and*
- *applicable correspondence from the County.*

Please call if you have any questions; I can be reached at (916) 341-5757.

Sincerely,



Sunil Ramdass, Water Resources Control Engineer
Technical Review Unit
Underground Storage Tank Cleanup Fund

Enclosure

cc: Ms. Donna Drogos
Alameda County EHD
1131 Harbor Bay Pkway, 2nd Fl.
Alameda, CA 94502-6577



State Water Resources Control Board



Winston H. Hickox
Secretary for
Environmental
Protection

Division of Clean Water Programs
1001 I Street • Sacramento, California 95814
P.O. Box 944212 • Sacramento, California • 94244-2120
(916) 341-5757 • FAX (916) 341-5806 • www.swrcb.ca.gov/cwphome/ustcf

Gray Davis
Governor

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our website at www.swrcb.ca.gov.

June 20, 2002

Ro 271

JUN 28 2002

Golden Empire Properties, Inc.
5942 MacArthur Blvd
Oakland, CA 94605

**PRE-APPROVAL OF CORRECTIVE ACTION COSTS,
CLAIM NO. 001275, PA # 17
SITE ADDRESS: 3055 35TH AVE, OAKLAND, CA 94602**

I have reviewed your request, received on June 11, 2002, for pre-approval of corrective action costs. I have included a copy of the "Cost Pre-Approval Request" form; please use this form in the future for requesting pre-approval of corrective action costs.

With the following provisions, the total cost pre-approved as eligible for reimbursement for completing the April 8, 1998, Cambria workplan approved by the Alameda County EHD (County) in their April 21, 1998 letter, is \$ 83,747; see the table below for a breakdown of costs. (The total amount that has been reimbursed and approved for payment up to this point is \$ 356,547.)

Be aware that this pre-approval does not constitute a decision on reimbursement: **necessary** (as determined by the Fund) corrective action costs for action work **directed and approved by the County** will be eligible for reimbursement at costs consistent with those pre-approved in this letter. However, depending on what happens in the field, some costs may not actually be necessary.

In an effort to expedite future reimbursement requests associated with the implementation of the corrective action tasks pre-approved in this letter, we ask that the attached 'Pre-Approval Specific Reimbursement Request Form' be completed, updated and submitted with each reimbursement request. All relevant supporting documentation must also be included with each reimbursement request.

In order for future costs for corrective action to be part of the expedited reimbursement process, they must be pre-approved in writing by Fund staff.

All costs for corrective action must meet the requirements of Article 11, Chapter 16, Underground Storage Tank Regulations in order to be eligible for reimbursement.

JUN 28 2002

COST PRE-APPROVAL BREAKDOWN

#	Task*	Amount Pre-Approved	Comments
1	Agency/Client Meeting and Correspondence	\$3,960	This cost includes all time and materials associated with this task. (Agency/Client Meeting and Correspondence throughout the year)
2	System O&M (June-December 2002), Analytical, Equipment Rental, Utility Costs.	\$79,787	This cost includes all time, materials and markups associated with this task. (System O&M – June - December 2002 (\$24,296.85), Analytical (\$3,080), Equipment Rental (\$25,463.90), Utility Costs (26,945.60). Copies of all permits, sub-invoices and system evaluation reports must be submitted to the Fund.
TOTAL PRE-APPROVED		\$ 83,747	

* Task descriptions are the same as those identified in Cambria's June 6, 2002 cost estimate.

- Only the tasks/costs reflected on the above table are pre-approved at this time. The Fund will review any tasks/costs that go beyond the pre-approved amount to be determined if the additional tasks and costs are necessary and reasonable. However, if costs exceed the above pre-approved amounts, the Fund will be unable to expedite your Reimbursement Request.
- The work products must be acceptable to the County and the Regional Water Quality Control Board.
- If a different scope of work becomes necessary, then you must request pre-approval of costs on the new scope of work.
- Although I have referred to the Cambria proposal in my pre-approval above, please be aware that you will be entering into a private contract: the State of California cannot compel you to sign any specific contract. This letter **pre-approves the costs** as presented in the proposal dated June 6, 2002 by Cambria for conducting the work approved by the County.

I also want to remind you that the Fund's regulations require that you obtain at least three bids, or a bid waiver from Fund staff, from qualified firms for all necessary future corrective action work. If you need assistance in procuring contractor and consultant services, don't hesitate to call me.

JUN 28 2002

June 20, 2002

Please remember that it is still necessary to submit the actual costs of the work as explained in the Reimbursement Request Instructions to confirm that the costs are consistent with this pre-approval before you will be reimbursed. *Please insure that your consultant prepares their invoices to include the required breakdown of costs on a time and materials basis, that invoiced tasks are consistent with the original proposal, and that reasonable explanations are provided for any changes made in the scope of work or increases in the costs. When the invoices are submitted you must include copies of all:*

- *subcontractor invoices,*
- *technical reports, when available, and*
- *applicable correspondence from the County.*

Please call if you have any questions; I can be reached at (916) 341-5757.

Sincerely,

Sunil Ramdass.

Sunil Ramdass, Water Resources Control Engineer
Technical Review Unit
Underground Storage Tank Cleanup Fund

Enclosure

cc: Barney M. Chan
Alameda County EHD
1131 Harbor Bay Pkway, 2nd Fl.
Alameda, CA 94502-6577



State Water Resources Control Board



Winston H. Hickox
Secretary for
Environmental
Protection

Division of Clean Water Programs
1001 I Street • Sacramento, California 95814
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(916) 341-5757 • FAX (916) 341-5806 • www.swrcb.ca.gov/cwphome/ustcf

Gray Davis
Governor

*The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption.
For a list of simple ways you can reduce demand and cut your energy costs, see our website at www.swrcb.ca.gov.*

February 11, 2002

#515
R0271

FEB 19 2002

Golden Empire Properties, Inc.
5942 Macarthur Blvd
Oakland, CA 94605

**REQUEST FOR PRE-APPROVAL OF CORRECTIVE ACTION COSTS,
CLAIM NO. 001275, PA # 16
SITE ADDRESS: 35TH AVE, OAKLAND, CA 94602
3055**

I have reviewed your request, received on January 31, 2002, for pre-approval of corrective action costs; I will place these documents in your file for future reference. I have included a copy of the "Cost Pre-Approval Request" form; please use this form in the future for requesting pre-approval of corrective action costs.

Pursuant to Section 2811.4, subdivision (c), of the Cleanup Fund regulations and based upon the materials submitted, the Cleanup Fund must deny your request for pre-approval at this time.

The requested costs (\$120,034.40) are not approved at this time. Please note; On July 12, 2001, a pre-approval was issued in the amount of \$119,936.00 for one year of operation, System O&M Rental, DPE Utility Cost, Analytical, Report, Agency Meeting/Correspondences. On January 29, 2002 an additional \$24,614 was issued for ~~DEP~~ O&M and QMR of 4 MWs for one year.

DPE

A detailed vapor extraction/duel phase extraction report describing all the activities conducted during the pilot test, all the assumptions for calculations, field data, calculation methods, interpretation of data, cross sections (at least two), figures showing radius of influence, tables showing influent and PID readings, system effectiveness, conclusions and recommendations, etc., must be submitted to the Fund before any additional funding can be approved.

If you have any questions, don't hesitate to call me at (916) 341-5757.

Sincerely,

Sunil Ramdass

Sunil Ramdass, Water Resources Control Engineer
Technical Review Unit
Underground Storage Tank Cleanup Fund

Enclosure

cc: Barney Chan
Alameda County EHD
1131 Harbor Bay Pkway, 2nd Fl.
Alameda, CA 94502-6577

R0 271



State Water Resources Control Board



Winston H. Hickox
Secretary for
Environmental
Protection

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Gray Davis
Governor

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our website at www.swrcb.ca.gov.

January 29, 2002

#512

Golden Empire Properties, Inc.
5942 Macarthur Blvd
Oakland, CA 94605

FEB 05 2002

**PRE-APPROVAL OF CORRECTIVE ACTION COSTS,
CLAIM NO. 001275, PA # 15
SITE ADDRESS: 3055 35TH AVE, OAKLAND, CA 94602**

I have reviewed your request, received on January 17, 2002, for pre-approval of corrective action costs. I have included a copy of the "Cost Pre-Approval Request" form; please use this form in the future for requesting pre-approval of corrective action costs.

With the following provisions, the total cost pre-approved as eligible for reimbursement for completing the January 11, 2002, Cambria's proposal for continued QMRs of 4Mws and O&M Costs for the existing DPE system on site for one year is \$ 24,614; see the table below for a breakdown of costs.

Be aware that this pre-approval does not constitute a decision on reimbursement: **necessary** (as determined by the Fund) corrective action costs for action work **directed and approved by the County** will be eligible for reimbursement at costs consistent with those pre-approved in this letter. However, depending on what happens in the field, some costs may not actually be necessary.

In an effort to expedite future reimbursement requests associated with the implementation of the corrective action tasks pre-approved in this letter, we ask that the attached 'Pre-Approval Specific Reimbursement Request Form' be completed, updated and submitted with each reimbursement request. All relevant supporting documentation must also be included with each reimbursement request.

In order for future costs for corrective action to be part of the expedited reimbursement process, they must be pre-approved in writing by Fund staff.

All costs for corrective action must meet the requirements of Article 11, Chapter 16, Underground Storage Tank Regulations in order to be eligible for reimbursement.

COST PRE-APPROVAL BREAKDOWN

#	Task*	Amount Pre-Approved	Comments
1	QMR of 4 MWs and O&M for a DPE System for 1 Yr.	\$24,614	This cost includes all time and materials associated with this task. (QMRs of 4 MWs for 4 Events and O&M costs for the DPE System on site for 1 Yr.) Copies of all reports must be submitted to the Fund.
TOTAL PRE-APPROVED		\$ 24,614	

* Task descriptions are the same as those identified in Cambria's January 11, 2002 cost estimate.

- Only the tasks/costs reflected on the above table are pre-approved at this time. The Fund will review any tasks/costs that go beyond the pre-approved amount to be determined if the additional tasks and costs are necessary and reasonable.
- The work products must be acceptable to the County and the Regional Water Quality Control Board.
- If a different scope of work becomes necessary, then you must request pre-approval of costs on the new scope of work.
- Although I have referred to the Cambria proposal in my pre-approval above, please be aware that you will be entering into a private contract: the State of California cannot compel you to sign any specific contract. This letter **pre-approves the costs** as presented in the proposal dated January 11, 2002 by Cambria for conducting the work approved by the County.

I also want to remind you that the Fund's regulations require that you obtain at least three bids, or a bid waiver from Fund staff, from qualified firms for all necessary future corrective action work. If you need assistance in procuring contractor and consultant services, don't hesitate to call me.

Please remember that it is still necessary to submit the actual costs of the work as explained in the Reimbursement Request Instructions to confirm that the costs are consistent with this pre-approval before you will be reimbursed.

Please insure that your consultant prepares their invoices to include the required breakdown of costs on a time and materials basis, that invoiced tasks are consistent with the original proposal, and that reasonable explanations are provided for any changes made in the scope of work or increases in the costs. When the invoices are submitted you must include copies of all:

- *subcontractor invoices,*
- *technical reports, when available, and*
- *applicable correspondence from the County.*

Please call if you have any questions; I can be reached at (916) 341-5757.

Sincerely,

Sunil Ramdass.

Sunil Ramdass, Water Resources Control Engineer
Technical Review Unit
Underground Storage Tank Cleanup Fund

Enclosure

cc: Barney M. Chan
Alameda County EHD
1131 Harbor Bay Pkway, 2nd Fl.
Alameda, CA 94502-6577



State Water Resources Control Board



Winston H. Hickox
Secretary for
Environmental
Protection

Division of Clean Water Programs
1001 I Street • Sacramento, California 95814
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Gray Davis
Governor

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our website at www.swrcb.ca.gov.

July 12, 2001

ST10 515

JUL 17 2001

Golden Empire Properties, Inc.
5942 Macarthur Blvd
Oakland, CA 94605

**PRE-APPROVAL OF CORRECTIVE ACTION COSTS, CLAIM NO. 001275, PA # 14
SITE ADDRESS: , 3055 35TH AVE, OAKLAND, CA 94602**

I have reviewed your request, received on June 18, 2001, for pre-approval of corrective action costs. I have included a copy of the "Cost Pre-Approval Request" form; please use this form in the future for requesting pre-approval of corrective action costs.

With the following provisions, the total cost pre-approved as eligible for reimbursement for completing the April 8, 1998, Cambria workplan approved by the Alameda County EHD (County) in their April 21, 1998 letter, is \$119,936; see the table below for a breakdown of costs.

Be aware that this pre-approval does not constitute a decision on reimbursement: **necessary** (as determined by the Fund) corrective action costs for action work **directed and approved by the County** will be eligible for reimbursement at costs consistent with those pre-approved in this letter. However, depending on what happens in the field, some costs may not actually be necessary.

In an effort to expedite future reimbursement requests associated with the implementation of the corrective action tasks pre-approved in this letter, we ask that the attached 'Pre-Approval Specific Reimbursement Request Form' be completed, updated and submitted with each reimbursement request. All relevant supporting documentation must also be included with each reimbursement request.

In order for future costs for corrective action to be part of the expedited reimbursement process, they must be pre-approved in writing by Fund staff.

All costs for corrective action must meet the requirements of Article 11, Chapter 16, Underground Storage Tank Regulations in order to be eligible for reimbursement.

COST PRE-APPROVAL BREAKDOWN

#	Task*	Amount Pre-Approved	Comments
1	DPE System Rental	\$36,432	This cost is for one year of DPE System Rental and it includes markup.
2	DPE Utility Cost	\$30,987	This is the estimated cost for one year of PG&E. It also includes markup. Note, the actual Utility bill must be submitted to the Fund at the time of reimbursement.
3	System O&M	\$40,739	This cost includes all time and material associated with the O&M and Catox Changeout. Copies of all permits must be submitted to the Fund at the time of reimbursement. This cost is for one year and all markups are included.
4	Analytical	\$4,594	This cost includes markup. 24 air samples will be tested for TPHg/BTEX and 36 water samples tested for TPHg/BTEX/MtBE.
5	Reports	\$4,376	Coies of all reports must be submitted to the Fund and evaluate the effectiveness of the system.
6	Agency Meeting/ Correspondence.	\$2,808	
TOTAL PRE-APPROVED		\$119,936	

* Task descriptions are the same as those identified in Cambria's June 8, 2001 cost estimate.

- Only the tasks/costs reflected on the above table are pre-approved at this time. The Fund will review any tasks/costs that go beyond the pre-approved amount to be determined if the additional tasks and costs are necessary and reasonable. However, if costs exceed the above pre-approved amounts, the Fund will be unable to expedite your Reimbursement Request.
- The work products must be acceptable to the County and the Regional Water Quality Control Board.
- If a different scope of work becomes necessary, then you must request pre-approval of costs on the new scope of work.

July 12, 2001

- Although I have referred to the Cambria proposal in my pre-approval above, please be aware that you will be entering into a private contract: the State of California cannot compel you to sign any specific contract. This letter **pre-approves the costs** as presented in the proposal dated June 8, 2001 by Cambria for conducting the work approved by the County.

I also want to remind you that the Fund's regulations require that you obtain at least three bids, or a bid waiver from Fund staff, from qualified firms for all necessary future corrective action work. If you need assistance in procuring contractor and consultant services, don't hesitate to call me.

Please remember that it is still necessary to submit the actual costs of the work as explained in the Reimbursement Request Instructions to confirm that the costs are consistent with this pre-approval before you will be reimbursed. ***Please insure that your consultant prepares their invoices to include the required breakdown of costs on a time and materials basis, that invoiced tasks are consistent with the original proposal, and that reasonable explanations are provided for any changes made in the scope of work or increases in the costs. When the invoices are submitted you must include copies of all:***

- *subcontractor invoices,*
- *technical reports, when available, and*
- *applicable correspondence from the County.*

Please call if you have any questions; I can be reached at (916) 341-5757.

Sincerely,

Sunil Ramdass

Sunil Ramdass, Water Resources Control Engineer
Technical Review Unit
Underground Storage Tank Cleanup Fund

Enclosure

cc: Barney M. Chan
Alameda County EHD
1131 Harbor Bay Pkway, 2nd Fl.
Alameda, CA 94502-6577



State Water Resources Control Board

Division of Clean Water Programs

1001 I Street • Sacramento, California 95814

P.O. Box 944212 • Sacramento, California • 94244-2120

(916) 341-5757 • FAX (916) 341-5806 • www.swrcb.ca.gov/cwphome/ustcf

Winston H. Hickox
Secretary for
Environmental
Protection

*The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption.
For a list of simple ways you can reduce demand and cut your energy costs, see our website at www.swrcb.ca.gov.*



Gray Davis
Governor

April 4, 2001

Golden Empire Properties, Inc.
5942 Macarthur Blvd
Oakland, CA 94605

PRE-APPROVAL OF CORRECTIVE ACTION COSTS, CLAIM NO. 001275, PA # 13 SITE ADDRESS: 3055 35TH AVE, OAKLAND, CA 94602

I have reviewed your request, received on March 6, 2001, for pre-approval of corrective action costs. I have included a copy of the "Cost Pre-Approval Request" form; please use this form in the future for requesting pre-approval of corrective action costs.

With the following provisions, the total cost pre-approved as eligible for reimbursement for completing the January 30, 2001, CAMBRIA workplan for continued groundwater monitoring is \$ 9,296; see the table below for a breakdown of costs.

Be aware that this pre-approval does not constitute a decision on reimbursement: **necessary** (as determined by the Fund) corrective action costs for action work **directed and approved by the County** will be eligible for reimbursement at costs consistent with those pre-approved in this letter. However, depending on what happens in the field, some costs may not actually be necessary.

In an effort to expedite future reimbursement requests associated with the implementation of the corrective action tasks pre-approved in this letter, we ask that the attached 'Pre-Approval Specific Reimbursement Request Form' be completed, updated and submitted with each reimbursement request. All relevant supporting documentation must also be included with each reimbursement request.

In order for future costs for corrective action to be part of the expedited reimbursement process, they must be pre-approved in writing by Fund staff.

All costs for corrective action must meet the requirements of Article 11, Chapter 16, Underground Storage Tank Regulations in order to be eligible for reimbursement.

COST PRE-APPROVAL BREAKDOWN

#	Task*	Amount Pre-Approved	Comments
1	Labor	\$6,216	Labor/personnel for monitoring 4 wells for 4 events. (\$1,554 per event). Reports are included in this cost.
2	Material/Direct Expense	\$1,240	Direct Expense for 4 events (\$310 per event)
3	Analytical	\$1,840	This cost includes markup.
	TOTAL PRE-APPROVED	\$ 9,296	

* Task descriptions are the same as those identified in CAMBRIA's January 30, 2001 cost estimate.

- Only the tasks/costs reflected on the above table are pre-approved at this time. The Fund will review any tasks/costs that go beyond the pre-approved amount to be determined if the additional tasks and costs are necessary and reasonable. However, if costs exceed the above pre-approved amounts, the Fund will be unable to expedite your Reimbursement Request.
- The work products must be acceptable to the County and the Regional Water Quality Control Board.
- If a different scope of work becomes necessary, then you must request pre-approval of costs on the new scope of work.
- Although I have referred to the CAMBRIA proposal in my pre-approval above, please be aware that you will be entering into a private contract: the State of California cannot compel you to sign any specific contract. This letter **pre-approves the costs** as presented in the proposal dated January 30, 2001 by CAMBRIA for conducting the work approved by the County.

I also want to remind you that the Fund's regulations require that you obtain at least three bids, or a bid waiver from Fund staff, from qualified firms for all necessary future corrective action work. If you need assistance in procuring contractor and consultant services, don't hesitate to call me.

Please remember that it is still necessary to submit the actual costs of the work as explained in the Reimbursement Request Instructions to confirm that the costs are consistent with this pre-approval before you will be reimbursed. *Please insure that your consultant prepares their invoices to include the required breakdown of costs on a time and materials basis, that invoiced tasks are consistent with the original proposal, and that reasonable explanations are provided for any changes made in the scope of work or increases in the costs.*

When the invoices are submitted you must include copies of all:

- *subcontractor invoices,*
- *technical reports, when available, and*
- *applicable correspondence from the County.*

Please call if you have any questions; I can be reached at (916) 341-5757.

Sincerely,

Sunil Ramdass .

Sunil Ramdass, Water Resources Control Engineer
Technical Review Unit
Underground Storage Tank Cleanup Fund

Enclosure

cc: Barney M. Chan
Alameda County EHD
✓ 1131 Harbor Bay Pkway, 2nd Fl.
Alameda, CA 94502-6577



State Water Resources Control Board



Winston H. Hickox
Secretary for
Environmental
Protection

Division of Clean Water Programs
2014 T Street • Sacramento, California 95814 • (916) 227-0743
Mailing Address: P.O. Box 944212 • Sacramento, California • 94244-2120
FAX (916) 227-4530 • Internet Address: <http://www.swrcb.ca.gov/cwphome/ustcf>

Gray Davis
Governor

June 30, 2000

Golden Empires Properties, Inc.
5942 Macarthur Blvd
Oakland, CA 94605

70-0271
~~55~~ BC

**PRE-APPROVAL OF CORRECTIVE ACTION COSTS, CLAIM NO. 1275,
SITE ADDRESS: 3055 35TH AVE, OAKLAND, CA 94602**

I have reviewed your request, received on June 13, 2000, for pre-approval of corrective action costs; I will place these documents in your file for future reference. I have included a copy of the "Cost Pre-Approval Request" form; please use this form in the future for requesting pre-approval of corrective action costs.

With the following provisions, the total cost pre-approved as eligible for reimbursement for completing six months of treatment system O & M, as approved by the Alameda County EHD (County) is \$ 16,921; see the table below for a breakdown of costs.

Be aware that this pre-approval does not constitute a decision on reimbursement: all reasonable and necessary corrective action costs for work directed and approved by the County will be eligible for reimbursement per the terms of your Letter of Commitment at costs consistent with those pre-approved in this letter.

All future costs for corrective action must be approved in writing by Fund staff. Future costs for corrective action must meet the requirements of Article 11, Chapter 16, Underground Storage Tank Regulations. In an effort to expedite future reimbursement requests associated with the implementation of these pre-approved tasks, we request that the attached 'Pre-Approval Specific Reimbursement Request Spreadsheet' be completed/updated and submitted with the relevant supporting documentation.

00 JUL 11 PM 1:42
ENVIRONMENTAL
PROTECTION

COST PRE-APPROVAL BREAKDOWN

#	Task*	Amount Pre-Approved	Comments
1	System operation & maintenance	\$13,031	
2	O&M Groundwater analytical	\$ 518	
3	System operations reporting	\$3,372	
	TOTAL PRE-APPROVED	\$ 16,921	

* Task descriptions are the same as those identified in Cambria's June 13, 2000 Cost Estimate

- The actual costs and scope of work performed must be consistent with the pre-approval for it to remain valid.
- The work products must be acceptable to the County and the Regional Water Quality Control Board.
- Because the proposed costs appear reasonable, it is my opinion that it is unnecessary to obtain three bids for the proposed corrective action efforts; the Fund's three bid requirement is waived for this scope of work only. Any future scopes of work will be required to comply with the three bid requirement or receive a waiver of the required bidding requirements.
- If a different scope of work becomes necessary, then you must request pre-approval of costs on the new scope of work.
- Although I have referred to Cambria proposal in my pre-approval above, please be aware that you will be entering into a private contract: the State of California cannot compel you to sign any specific contract. This letter **pre-approves the costs** as presented in the proposal dated May 31, 2000 by Cambria.

I want to remind you that the Fund's regulations require that you obtain at least three bids. A bid waiver is granted for conducting the scope of work identified in the May 31, 2000 Cambria and was approved for implementation by Alameda County EHD. In the future you will be required to obtain at least three bids, or **request and justify** a bid waiver from Fund staff, from qualified firms for all necessary corrective action work. The legislation governing the Fund requires that the Fund assist you in procuring contractor and consultant services for corrective action. If you need assistance in contracting for corrective action services, don't hesitate to call me.

Please remember that it is still necessary to submit the actual costs of the work as explained in the Reimbursement Request Instructions to confirm that the costs are consistent with this pre-approval before you will be reimbursed. ***Please insure that your consultant prepares their invoices to include the required break down of costs on a time and materials basis, that invoiced tasks are consistent with the original proposal, and that reasonable explanations are***

provided for any changes made in the scope of work or increases in the costs. When the invoices are submitted you must include copies of all:

- *subcontractor invoices,*
- *technical reports, when available, and*
- *applicable correspondence from the County.*

Please call if you have any questions; I can be reached at (916) 227-0743.

Sincerely,



David F. Charter, RG
Associate Engineering Geologist
Technical Review Unit
Underground Storage Tank Cleanup Fund

Enclosure

cc: Mr. Thomas Peacock
Alameda County EHD
✓ 1131 Harbor Bay Pkway, 2nd Fl.
Alameda, CA 94502-6577



**BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT**

ALAMEDA COUNTY
Scott Haggerty
Greg Harper
Mary King
Ben C. Tarver

CONTRA COSTA COUNTY
Paul L. Cooper
Mark DeSaulnier
Gayle Uilkema

MARIN COUNTY
Harold C. Brown, Jr.

NAPA COUNTY
Brad Wagenknecht

SAN FRANCISCO COUNTY
Arnos Brown
Michael Yaki

SAN MATEO COUNTY
Dena Mossar
Michael D. Nevin
(Chairperson)
Mariland Townsend

SANTA CLARA COUNTY
Randy Attaway
(Vice-Chairperson)
Don Gage
Julia Miller

SOLANO COUNTY
William Carroll
(Secretary)

SONOMA COUNTY
Patricia Hilligoss
Tim Smith

Ellen Garvey
Executive Officer/
Air Pollution Control Offi

ENVIRONMENTAL
PROTECTION

00 MAR 31 AM 9:52

#515

28 March, 2000

Rosa Perila & Maria Concordia
3050 Berlin Way
Oakland, CA 94619

Application Number: 27721
Equipment Location:
Former Exxon Service Station
3055 35th Avenue
Oakland, CA 94619

Dear Ms. Perila and Ms Concordia:

This letter responds to your comments regarding the Public Notice issued 28 January for the above referenced application. This system is being installed to remediate gasoline contaminated soil and groundwater that may be migrating off site. In January 1991, four underground gasoline storage tanks and one underground waste oil storage tank were removed from the site. Soil surrounding the gasoline tanks was found to be contaminated during investigations performed in November 1991. No contamination was detected near the waste oil tank. Since May 1994, groundwater at the site has been sampled on a quarterly basis. From July 1996 to February 1997, Cambria Environmental Technology (Cambria) performed a series of remedial tests involving Soil Vapor Extraction (SVE) to define the extent of the contamination and to determine the viability of SVE as a remedial alternative. In April of 1998, on behalf of Golden Empire Properties, Cambria submitted to the Alameda County Health Care Services Agency (ACHCSA), a Corrective Action Plan to fully investigate the level of contamination and determine the best approach to remediation.

ACHCSA has found that groundwater in the area has potential beneficial use, and so has requested that the Responsible Party (Golden Empire Properties) begin remediation activities to protect future use of the groundwater in the area. Evaluation of the Corrective Action Plan determined that Soil Vapor Extraction (SVE) posed the best method to remove the residual gasoline from the soil. This technology will result in emissions of pollutants into the atmosphere, and so requires a permit from the Bay Area Air Quality Management District. On behalf of property owner, Cambria has applied for an Authority to Construct/Permit to Operate the SVE system. Prior to issuing the Permit, BAAQMD prepared the Public Notice in compliance with both BAAQMD regulations and the California Health and Safety Code.

The reason for preparing the notice is that there is a School located within 1,000 feet of the proposed source. Both the California Health and Safety Code and BAAQMD Regulations require that a notice be prepared in this instance. As long as the source emits a toxic air contaminant and is located within 1,000 feet of a School, the notice must be prepared, no matter how small the emissions. Emissions from the proposed source will be significantly controlled; however, it is not possible to control the source such that emissions are zero. The toxic air contaminant that will be emitted is benzene, a compound that is emitted in varying amounts by nearly every automobile on the road. Gasoline is a mixture of many organic compounds, and Benzene is one of those compounds.

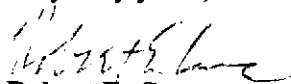
In evaluating the risks due to proposed sources, the BAAQMD takes very conservative assumptions, often called "worst-case assumptions". This is done to assure ourselves, the applicant, and any interested member of the public that the source in question does not cause an unreasonable risk or undue harm. In the case of the proposed system, the risk that we calculated is well below a reasonable level of concern.

In your phone message you asked, "Why even send us these notes, when you already have prepared to deal with it?" BAAQMD evaluates proposals to emit pollutants into the air. We do not determine if the sources of air pollutants should be constructed, only whether their operation poses as significant risk to the surrounding community, or will be detrimental to air quality in general. Because of the presence of the School, BAAQMD has prepared the notice to make parents and other residents in the area aware of the source.

You also asked in your message, "Are you going to give us a place to live and this is what the people are talking about so I don't understand too much about it. But this cancer causing problem, how much more do we need this? How much more people are going to die due to your so-called development?" This source represents a very small risk to the surrounding community and does not merit such actions as relocation of residents. The system is being installed to clean up an existing environmental problem, and operation of the equipment will not cause an unreasonable risk or undue harm.

For more information regarding the history of the site, purpose, schedule, driving forces, and procedures for operation of the system, you may want to contact Barney Chan of the Alameda County Health Care Services Agency at (510) 567-6765. Alternatively, you may wish to contact Ron Scheele of Cambria Environmental Technology at (510) 420-3318. Your comments have become part of the public record for this proposed source. If you have any more questions, please call me at (415) 749-5048.

Very truly yours,



Robert E. Cave
Air Quality Engineer II
Permit Services Division

REC:rkt

cc: **Barney Chan** ACHCSA
Ron Scheele, Cambria Environmental Technology



State Water Resources Control Board

Division of Clean Water Programs

2014 T Street • Sacramento, California 95814 • (916) 227-
Mailing Address: P.O. Box 944212 • Sacramento, California • 94244-2120
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Gray Davis
Governor

Winston H. Hickox
Secretary for
Environmental
Protection

99 SEP 10 PM 3:50
ENVIRONMENTAL
PROTECTION

post 31

September 8, 1999

Mr. Lynn Worthington
Golden Empire Properties, Inc.
5942 MacArthur Blvd., Suite B
Oakland, CA 94605

**PRE-APPROVAL OF CORRECTIVE ACTION COSTS, CLAIM NO. 1275,
SITE ADDRESS: 3055 35TH AVENUE, OAKLAND**

I have reviewed your requests, received on August 11, 1999 for pre-approval of corrective action costs; I will place these documents in your file for future reference. I have included a copy of the "Cost Pre-Approval Request" form; please use this form in the future for requesting pre-approval of corrective actions costs.

With the following provisions, the **total cost pre-approved** as eligible for reimbursement, is **\$118,597.00**. The cost proposal for this work by Cambria, Pacwest, Onion, and US Filter (CPOF), is approved for eligible costs as submitted.

In an effort to expedite future reimbursement requests associated with the implementation of these pre-approved tasks, we request that the attached budget tracking form be completed/updated and submitted with the relevant supporting documentation.

Be aware that this pre-approval does not constitute a decision on reimbursement: all reasonable and necessary corrective action costs for work directed and approved by the local regulator will be eligible for reimbursement per the terms of your Letter of Commitment at costs consistent with those pre-approved in this letter.

*All future costs for corrective action must be approved in writing by Fund staff.
Future costs for corrective action must meet the requirements of
Article 11, Chapter 16, Underground Storage Tank Regulations.*

- The actual costs and scope of work performed must be consistent with the pre-approval for it to remain valid.
- The work products must be acceptable to the local regulatory agency.
- If a different scope of work becomes necessary, then you must request pre-approval of costs on the new scope of work.

California Environmental Protection Agency

- Although I have referred to the CPOF proposal in my pre-approval above, please be aware that you will be entering into a private contract: the State of California cannot compel you to sign any specific contract.

I also want to remind you that the Fund's regulations require that you obtain at least three bids, or a bid waiver from Fund staff, from qualified firms for all future necessary corrective action work.

Please remember that it is still necessary to submit the actual costs of the work as explained in the Reimbursement Request Instructions to confirm that the costs are consistent with this pre-approval before you will be reimbursed. *Please insure that your consultant prepares their invoices to include the required break down of costs on a time and materials basis, that invoiced tasks are consistent with the original proposal, and that reasonable explanations are provided for any changes made in the scope of work or increases in the costs. When the invoices are submitted you must include copies of all:*

- *subcontractor invoices (includes lab invoices)*
- *technical reports, when available, and*
- *applicable correspondence from the local regulatory agency.*

Please call if you have any questions; I can be reached at (916) 227-7883.

Sincerely,

Mark Owens, Water Resources Control Engineer
Technical Review Unit
Underground Storage Tank Cleanup Fund

→ cc: Mr. Barney Chan, Alameda County Health Care Services, Alameda



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)

June 18, 1999
StID # 515

Mr. Lynn Worthington
5942 Mac Arthur Blvd., Suite B
Oakland CA 94605

Re: Former Exxon Service Station, 3055 35th Ave., Oakland CA 94619

Dear Mr. Worthington:

Our office has received and reviewed the First Quarter 1999 Monitoring Report for the above referenced site as prepared by Cambria, your consultant. These groundwater results continue to indicate that the petroleum contaminant plume remains at very high levels, with little sign of attenuation. Dissolved oxygen in groundwater samples is at levels barely acceptable for aerobic bio-degradation. Undoubtedly, the hydrocarbon plume has migrated off-site beneath neighboring residential properties.

It appears that your consultant has been having difficulty in either the designing, permitting or bidding for the proposed dual phase extraction system approved by our office. Therefore, until the extraction system is in place, our office will require some types of interim measures to prevent the migration of groundwater contamination and insure that no immediate risk to human health exists. These measures should include verification that no wells of any ^{kind} ~~time~~ are being used within a radius of 200' from this property, the inspection of residences within this same radius for the presence of basements or other subsurface building and increasing of oxygen concentration into all monitoring and extraction wells. In addition, please have your consultant explain their delay in installing the approved extraction system and provide a specific schedule of anticipated actions for the forthcoming quarter.

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

Sincerely,

Barney M. Chan
Hazardous Materials Specialist

C: B. Chan, files

Mr. Bob Clark-Riddell, Cambria Environmental, 1144 65th St., Suite B, Oakland CA 94608

Stat3055 35th

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



June 12, 1998
StID # 515

Mr. Lynn Worthington
Golden Empire Properties
5942 MacArthur Blvd., Suite B
Oakland CA 94605

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

Re: Work Plan Addendum to Corrective Action Plan for 3055
35th Ave., Oakland CA 94619

Dear Mr. Worthington:

Our office has received and reviewed Cambria Environmental's May 29, 1998 addendum to their April 8, 1998 corrective action plan (CAP). This addendum indicates the location of one additional soil boring on the south side of 35th Ave., near the intersection of School St. and 35th Ave. A grab groundwater sample will be collected from this boring and analyzed for TPHg, BTEX and MTBE. Please add the analyte TPH as diesel to the list of parameters to be tested.

This work plan addendum is approved. Both this additional site assessment and the initiation of the permitting needed to install and operate the proposed dual phase extraction system should be scheduled as soon as possible. Please contact 72 working hours prior to the off-site field investigation.

You may contact me at (510) 567-6765.

Sincerely,

Barney M. Chan
Hazardous Materials Specialist

C: B. Chan, files

Mr. R. Scheele, Cambria, 1144 65th St., Suite B, Oakland
CA 94608

Ms. J. Rose, Law Offices Randick & O'Dea, 1800 Harrison
Suite 2350, Oakland CA 94612

Wpad3055



State Water Resources Control Board



Peter M. Rooney
Secretary for
Environmental
Protection

John P. Caffrey, Chairman

Pete Wilson
Governor

Division of Clean Water Programs

2014 T Street, Suite 130 • Sacramento, California 95814 • (916) 227-7883 FAX (916) 227-4530
Mailing Address: P.O. Box 944212 • Sacramento, California • 94244-2120
Internet Address: <http://www.swrcb.ca.gov/~cwphome/ustcf/fundhome.htm>

ENVIRONMENTAL
PROTECTION

98 JUN 25 PM 3:37

June 12, 1998

Golden Empires Properties, Inc.
5942 Macarthur Blvd
Oakland, CA 94605

R0271 #515 TP

PRE-APPROVAL OF CORRECTIVE ACTION COSTS, CLAIM NO. 1275,
SITE ADDRESS: 3055 35TH AVE, OAKLAND, CA ~~94602~~ 94605

I have reviewed your request, received on June 18, 1998, for pre-approval of corrective action costs; I will place these documents in your file for future reference. I have included a copy of the "Cost Pre-Approval Request" form; please use this form in the future for requesting pre-approval of corrective actions costs.

With the following provisions, the total cost pre-approved as eligible for reimbursement for completing the April 8, 1998, CAMBRIA Environmental Technology, Inc. workplan approved by the Alameda County EHD (County) in their June 12, 1998 letter, is \$25,874; see the table below for a breakdown of costs. (The total amount approved for payment through request number 5 for work at your site that has been directed and approved by the County is \$ 88,006.)

Although, the 3-bid requirement for the subcontractor drilling activities was complied with, it is necessary you obtain at least three bids from qualified firms for all necessary corrective action work. This includes bidding for consultant services as well, because the 3-bid requirement was not complied with please note that the costs have been adjusted in accordance to the UST Fund Cost Guidelines.

Be aware that this pre-approval does not constitute a decision on reimbursement: all reasonable and necessary corrective action costs for work directed and approved by the County will be eligible for reimbursement per the terms of your Letter of Commitment at costs consistent with those pre-approved in this letter.

**All future costs for corrective action must be approved in writing by Fund staff.
Future costs for corrective action must meet the requirements of
Article 11, Chapter 16, Underground Storage Tank Regulations.**

- The actual costs and scope of work performed must be consistent with the pre-approval for it to remain valid.
- The work products must be acceptable to the County and the Regional Water Quality Control Board.
- If a different scope of work becomes necessary, then you must request pre-approval of costs on the new scope of work.
- Although I have referred to the CAMBRIA Environmental Technology, Inc. proposal in my pre-approval above, please be aware that you will be entering into a private contract: the State of California cannot compel you to sign any specific contract. This letter **pre-approves the costs** as presented in the proposal dated May 12, 1998 by for conducting the work approved by the County for implementing the April 8, 1998, CAMBRIA Environmental Technology, Inc. workplan.

California Environmental Protection Agency

COST PRE-APPROVAL BREAKDOWN

Task	Amount Pre-Approved	Comments
1. Obtaining Permits	\$1,880	Staff hours for obtaining permits are excessive at 19 hrs, therefore, reduced to 10 hrs.
2. Installation of Borings/Wells	\$4,930	Hourly labor rate for Technician adjusted from \$60/hr to \$45/hr.
3. Field Equipment/Supplies	\$294	Cost to account for small consumable items (gloves, paint, rope, etc..) used during extensive field activities are normally at \$20.
4. Subcontractor	\$16,870	Costs for Utility Locator and Well Elevation Survey are higher than Fund Staff would normally expect, therefore, the cost is reduced at \$400 and \$500, respectively.
5. Well Installation Report	\$1,900	Hourly labor rate for Principal Geologist adjusted to \$105/hr.
TOTAL PRE-APPROVED	\$25,874	

I also want to remind you that the Fund's regulations require that you obtain at least three bids, or a bid waiver from Fund staff, from qualified firms for all necessary corrective action work. The legislation governing the Fund requires that the Fund assist you in procuring contractor and consultant services for corrective action. If you need assistance in contracting for corrective action services, don't hesitate to call me.

Please remember that it is still necessary to submit the actual costs of the work as explained in the Reimbursement Request Instructions to confirm that the costs are consistent with this pre-approval before you will be reimbursed. *To make this easier, insure that your consultant prepares his invoices to match the format of the original estimate, and provides reasonable explanations for any changes made in the scope of work or increases in the costs. When the invoices are submitted you must include copies of all:*

- *subcontractor invoices,*
- *technical reports, when available, and*
- *applicable correspondence from the County.*

Please call if you have any questions; I can be reached at (916) 227-7883.

Sincerely,

Sushma Lee

Sushma Lee, Water Resources Control Engineer
Technical Review Unit
Underground Storage Tank Cleanup Fund

Enclosure

cc:

Mr. Thomas Peacock
Alameda County EHD
1131 Harbor Bay Pkway, 2nd Fl.
Alameda, CA 94502-6577

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY
DAVID J. KEARS, Agency Director

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, 1998
StID # 515

Mr. Lynn Worthington
Golden Empire Properties
5942 Mac Arthur Blvd., Suite B
Oakland CA 94605

**Re: Corrective Action Plan for Former Exxon Service Station
3055 35th Ave., Oakland CA 94619**

Dear Mr. Worthington:

This letter serves to clarify the County's request for further site characterization of the referenced property. As a means of determining the extent of the up-gradient gasoline and BTEX plume, it will be necessary to take grab groundwater samples from both the east side of School St. and the south side of 35th Ave. Please provide a work plan addendum to include a boring to investigate the latter location on 35th Ave.

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

Sincerely,

Barney M. Chan
Hazardous Materials Specialist

C: B. Chan, files

Mr. R. Scheele, Cambria, 1144 65th St., Suite B, Oakland 94608
Ms. Julie Rose Esq., Law Offices Randick & O'Dea, 1800 Harrison,
Suite 2350, Oakland CA 94612

1cap3055

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



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

April 21, 1998
StID # 515

Mr. Lynn Worthington
Golden Empire Properties
5942 Mac Arthur Blvd., Suite B
Oakland CA 94605

Re: Corrective Action Plan Approval for Former Exxon Service Station
3055 35th Ave., Oakland CA 94619

Dear Mr. Worthington:

Our office has received and reviewed the April 8, 1998 Corrective Action Plan (CAP), prepared by your consultant, Cambria. This CAP examines several potential remedial approaches and concludes that the most applicable approach is dual phased vacuum extraction. This approach will remove both vapor and groundwater. Any free product will also be removed. A secondary benefit is the introduction of oxygen to enhance natural biodegradation. Our office agrees with this approach and requests that you initiate the permitting requirements (Air Board, building and electrical, well installation and EBMUD).

The CAP also suggests that upon the reduction of free product and elevated dissolved petroleum concentrations, the introduction of ORC compounds will be evaluated to complete the remediation process. Our office concurs with this suggestion.

In addition, further site characterization is proposed. One boring adjacent to the former Texaco station on the east side of School St. is proposed. Up to two additional monitoring wells are also proposed further downgradient on 35th Ave. The number of wells will depend on the number of wells needed to define the extent of the gasoline plume. Both soil and groundwater samples will be collected and sampled from the boring and well(s). Please add the analyte, TPHd, to the proposed list of analytes; TPHg, BTEX and MTBE. Because you are assessing potential off-site sources of fuel releases, you should also consider the potential of the Quik Stop station lying on the south side of 35th Ave. even though our office has no evidence of a past release.

Until your work plan is implemented please continue to update your progress in your quarterly monitoring reports.

Mr. Lynn Worthington
StID # 515
3055 35th Ave.
April 21, 1998
Page 2.

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

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

C: B. Chan, file

Mr. Ron Scheele, Cambria, 1144 65th St., Suite B, Oakland CA 94608
Ms. Julie Rose Esq., Law Offices Randick & O'Dea, 1800 Harrison,
Suite 2350, Oakland, CA 94612

CAP3055



December 18, 1997

Barney Chan
Alameda County Department of
Environmental Health
UST Local Oversight Program
1131 Harbor Bay Parkway, 2nd Floor
Alameda, CA 94502

Re: **Meeting Summary**
Former Exxon Station
3055 35th Avenue
Oakland, California
Cambria Proj. # 20-002

Dear Mr. Chan:

We appreciate you taking the time to meet with us today. As we agreed, the plan for the site consists of three tasks. The first task is to install a geoprobe boring up gradient of the site to assess whether Texaco's former tanks have released hydrocarbons that could be impacting the 3055 35th site. The second task is to define the down gradient extent of hydrocarbons in ground water by installing one to two wells in 35th Avenue down gradient of the site as detailed in our February 1997 Work Plan. The final task is to prepare a Corrective Action Plan (CAP) to remediate the site. We anticipate submitting the CAP in late January or early February.

Please call if you have any questions or comments.

Sincerely,
Cambria Environmental Technology, Inc.

N. Scott MacLeod, R.G.
Principal Geologist

CAMBRIA
ENVIRONMENTAL
TECHNOLOGY, INC.
1144 65TH STREET,
SUITE B
OAKLAND,
CA 94608
PH: (510) 420-0700
FAX: (510) 420-9170

cc: Julie Rose, Randick & O'Dea, 1800 Harrison, Suite 2350, Oakland, CA 94612
Lynn Worthington, Better Homes Realty, 5942 MacArthur, Suite B, Oakland, CA 94605

F:\PROJECTS\B-2004\OAKL-002\Meeting Summary Letter.wpd

12/18/77 Mtg w/ S. MacLeod, Pete McKeegan
Julie Rose, MC & Be

- 1) need at least one upgradient geoprobe
need for new Texaco.
- 2) need office well 5 - 2 on 35th Ave
- 3) CAB - 1) excavation
2) dual phase extraction
- 4) update RSCA w/ new soil data.

mentioned concern of offsite residential
properties:

[10-5] OK for Commercial & Residential

12/18/77 Mts w/ S. MacLeod, Pete McKeeghan
Julie Rose, ML & Be

- 1) need at least one upgradient geoprobe
need for new Texaco.
- 2) need offsite well 5 - 2 on 35th Ave
- 3) CAB - 1) excavation 3) SVE + dewatering
2) dual phase extraction 4) oxygen addition
- 4) update RSCA w/ new soil data.

mentioned concern of offsite residential
properties:

[10-5] OK for Commercial & Residential

2/19/98 Spw/ P. Shield of Centura 420-3336
assigned to provide COP + CAP.
Expect by March if they get pre-
approval from Cleanup Fund.

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



510 515
September 23, 1997

Lynn Worthington
Better Homes Realty
5942 Mac Arthur Blvd., Suite B
Oakland, CA 94605

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

STID 515, 3055 - 35th Ave., Oakland, CA 94619

Dear Lynn Worthington:

This office has received and reviewed a First Quarter 1997 Monitoring Report dated April 15, 1997 and a Risk-Based Corrective Action Analysis dated June 27, 1997 both by Cambria Environmental Technology, Inc. The following are comments concerning these reports:

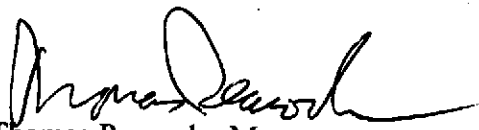
There is even a higher concentration of benzene in MW-4 (the new well) than in MW-1 or MW-3. This is the farthest downgradient well, being almost at the property line. Further downgradient is residential property in all directions. MTBE has been discovered only in the two most downgradient wells, MW-3 and MW-4.

This situation requires further investigation in the downgradient direction. This requires notification and cooperation of the homeowners. You are required to conduct further investigation on the downgradient side of the residential property so that a proper risk can be evaluated. With the highest levels in the most downgradient wells, there is no reason to preclude actual concentrations under the housing to be even higher.

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

This case will be assigned to Madhulla Logan of this office. Please contact her at (510) 567-6764 if you have any questions regarding this letter and to schedule a meeting.

Sincerely,


Thomas Peacock, Manager

c: Scott MacLeod, Cambria, 1144 - 65th St., Suite B, Oakland, CA 94608
Gordon Coleman - Files

CAMBRIA ENVIRONMENTAL PROTECTION

96 DEC 12 AM 11:38

December 10, 1996

Mr. Dale Klettke
Alameda County Health Care Services Agency
1131 Harbor Bay Parkway, #250
Alameda, CA 94502-6577

STD
SIS

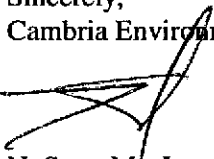
Re: **Corrective Action Plan**
Former Exxon Service Station
3055 35th Avenue
Oakland, California

Dear Mr. Klettke:

As discussed today, Cambria Environmental Technology, Inc. (Cambria) will submit the corrective action plan (CAP) requested in the September 28, 1995 letter from the Alameda County Department of Environmental Health to Mr. Lynn Worthington after reviewing the results of the upcoming Tier 2 risk-based corrective action (RBCA) study. The RBCA will establish site clean up goals that will be used in the CAP.

Please call if you have any questions or comments.

Sincerely,
Cambria Environmental Technology, Inc.



N. Scott MacLeod, R.G.
Principal Geologist

CAMBRIA
ENVIRONMENTAL
TECHNOLOGY, INC.
1144 65TH STREET,
SUITE B
OAKLAND,
CA 94608

cc: Mr. Lynn Worthington, Golden Empire Properties, Inc., 5942 MacArthur Blvd. Suite B, Oakland, CA 94605

F:\PROJECT\NSB-2004\OAKL-002\CAP_HOLD.WPD

PH: (510) 420-0700
FAX: (510) 420-9170

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY



DAVID J. KEARS, Agency Director

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

STID 515

September 12, 1996

Mr. Lynn Worthington
Golden Empire Properties
5942 MacArthur Blvd. Suite B
Oakland, CA 94605

RE: FORMER EXXON SERVICE STATION, 3055 35TH AVENUE, OAKLAND, CA 94619

Dear Mr. Worthington:

This office is in receipt of and has completed review of the case file for this site, up to and including the Cambria "Investigative Work Plan Addendum" dated July 30, 1996.

The Cambria work plan proposes installing three groundwater monitoring wells to further define the extent of hydrocarbons in soil and groundwater down-gradient of the Site. The collection of site-specific data during this investigation will then be used to prepare an ASTM Tier 2 Risk-Based Corrective Action (RBCA) site assessment.

This work plan is approved. Please notify this office 72 hours in advance of field operations, so I can schedule time to be on site.

Please contact me at 510/567-6880 should you have any questions about the content of this letter.

Sincerely,

Dale Klettke, CHMM
Hazardous Materials Specialist

c: Thomas Peacock, LOP Manager--files
Scott MacLeod, Cambria, 1144 65th Street, Emeryville, CA 94608

0515wpok.dkt

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, Assistant Agency Director

STID 515

August 26, 1996

Mr. Lynn Worthington
Golden Empire Properties
5942 MacArthur Blvd. Suite B
Oakland, CA 94605

DEPARTMENT OF ENVIRONMENTAL HEALTH
80 Swan Way, Rm. 210
Oakland, CA 94621
(510) 271-4300

RE: FORMER EXXON SERVICE STATION, 3055 35TH AVENUE, OAKLAND, CA 94619

Dear Mr. Worthington:

This letter serves to follow-up my August 19, 1996 telephone conversation with Scott MacLeod of Cambria. Cambria recommends reintroduction of stockpiled soil into the open excavations at the Site. This request is approved (with RWQCB concurrence) with the stipulation that the stockpiled soils are screened to remove any gross contamination before being placed into the open excavations. **Please notify this office a minimum of 72 hours in advance of field operations pertaining to the reintroduction of stockpiled soil, so I can schedule time to be on site.**

In addition, I have reviewed the Cambria "Second Quarter 1996 Monitoring Report" dated July 15, 1996. Laboratory analysis of groundwater samples collected on 5/21/96, from wells MW-1, MW-2 and MW-3 revealed benzene at concentrations of 8.5, 3.4 and 17.0 mg/L (ppm), respectively.

This groundwater data was analyzed using a limited ASTM Risk-Based Corrective Action (RBCA) Tier 1 Risk Based Screening Level (RBSL) evaluation as referenced in the ASTM E 1739 - 95 document "Standard Guide for Risk-Based Corrective Action Applied at Petroleum Release Sites". The ASTM E 1739 - 95 document is a consistent decision-making process for the assessment and response to a petroleum release, and is based on the protection of human health and the environment. The Tier I risk assessment compares the chemicals of concern (COCs) documented at the site with Tier 1 RBSLs as presented in the published Look-up Table (ASTM E 1739-95 - Table X2.1 "Example Tier 1 Risk-Based Screening Level (RBSL) Look-up Table). *Note: Hazard Quotients (HQ) are used in the development of RBSLs for non-carcinogenic compounds only (examples: toluene, ethyl benzene, total xylenes, etc.), and are not used in determining RBSLs for carcinogens such as benzene.*

This evaluation determined that for the following risk exposure scenarios, contaminant levels exceed the CA-modified Tier 1 RSBLs:

- "Groundwater-Vapor Intrusion from Groundwater to Buildings" at a target level of $1E-04$ (1 in 10,000 excess cancer risk) for a residential receptor scenario. Tier 1 RBSL = 0.69mg/L.

Mr. Lynn Worthington
RE: 3055 35th Street, Oakland, CA 94619
August 26, 1996
Page 2 of 2

- "Groundwater-Volatilization to Outdoor Air" at a target level of $1E-06$ (1 in 1,000,000) for a residential receptor scenario. Tier 1 RBSL = 3.19 mg/L.

Please be advised that further ASTM RBCA Tier evaluation is warranted for the Site.

Finally, I have reviewed the Cambria "Investigative Work Plan" dated June 20, 1996. The work plan proposes installing two groundwater monitoring wells in 35th Avenue to further define the extent of hydrocarbons in groundwater down gradient of the Site.

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

In addition, in order to obtain site-specific information on soil and groundwater contamination directly down gradient of the former tank excavations, it is recommended that the location for one of the future groundwater monitoring wells be relocated on-site, preferably in the northwestern corner of the Site. This well could be used to: 1) further document the severity of petroleum hydrocarbons in groundwater migrating off-site beneath residential property; 2) document current soil concentrations directly downgradient of the release and providing useful information for a RBCA Tier 2 evaluation; and 3) evaluate the effectiveness of the SVE/AS system which is currently being evaluated for implementation at the Site.


Therefore, please have your consultant submit an addendum proposing a revised work plan for the submitted "Investigative Work Plan". **The work plan addendum is to be submitted to this office within 30 days of the date of this letter, or no later than September 26, 1996.** Please be advised that information obtained during the execution of Cambria's proposed "Investigative Work Plan" should be developed in a manner which is consistent with the ASTM RBCA framework.

Please contact me at 510/567-6880 should you have any questions about the content of this letter.

Sincerely,



Dale Klettke, CHMM
Hazardous Materials Specialist

c:  Gil Jensen, Alameda County District Attorneys Office
Thomas Peacock, LOP Manager--files
Scott MacLeod, Cambria, 1144 65th Street, Emeryville, CA 94608



CAMBRIA

August 8, 1996

Mr. Dale Klettke,
Alameda County Health Care Services Agency
1131 Harbor Bay Parkway, #250
Alameda, CA 94502-6577

Re: **Excavation Backfill**
Former Exxon Service Station
3055 35th Avenue
Oakland, California

Dear Mr. Klettke:

As I discussed in an August 6, 1996 voice-mail message, Cambria Environmental Technology, Inc. (Cambria) recommends backfilling the soil stockpiled at the site referenced above into the open excavations. Cambria will remediate the stockpiled soil in-situ after completing a subsurface investigation to further define the extent of hydrocarbons in soil and ground water.

Please call if you have any questions or comments.

Sincerely,
Cambria Environmental Technology, Inc.



N. Scott MacLeod, R.G.
Principal Geologist

cc: Lynn Worthington, Golden Empire Properties, Inc., 5942 MacArthur Blvd., Suite B, Oakland, CA 94605

CAMBRIA

ENVIRONMENTAL

TECHNOLOGY, INC.

1144 65TH STREET,

SUITE B

OAKLAND,

CA 94608

PH: (510) 420-0700

FAX: (510) 420-9170

F:\PROJECT\SB-2004\OAKL-002\BACKFILL.WPD



STID 515

May 20, 1996

Mr. Lynn Worthington
Better Homes Realty
5942 MacArthur Blvd. Suite B
Oakland, CA 94605

"SECOND NOTICE OF VIOLATION"

RE: FORMER EXXON SERVICE STATION, 3055 35TH AVENUE, OAKLAND, CA 94619

Dear Mr. Worthington:

This letter serves to follow-up to a Alameda County Health Care Services Agency (ACHCSA) letter from myself dated January 22, 1996. In this letter you were requested to **submit a work plan for subsurface investigation and a corrective action plan within 30 days of the date of this letter or by February 23, 1996.** To my knowledge, neither work plan has been received by this office. A copy of this letter is enclosed for your review.

At this time you are directed to submit a work plan for subsurface investigation and a corrective action plan within 30 days of the date of this letter or by June 20, 1996.

Please be advised that failure to satisfy this request may result in the referral of this case to the Alameda County District Attorneys Office. Please be further advised that Sections 25299(b) and 25299.37 of the California Health and Safety Code, among other possible statutes, provides for civil penalties of up to \$5000 per tank per day for failure to comply with this directive.

Please call me at your earliest convenience concerning this matter. Failure to reply to this request may subject you additional penalties under the Water Code. Please contact me at 510/567-6880 should you have any questions about the content of this letter.

Sincerely,

Dale Klettke, CHMM
Hazardous Materials Specialist

Mr. Lynn Worthington
RE: 3055 35th Street, Oakland, CA 94619
May 20, 1996
Page 2 of 2

enclosure

c: Gil Jensen, Alameda County District Attorney's Office
Thomas Peacock, LOP Manager--files
Be Scott MacLeod, Cambria, 1144 65th Street, Emeryville, CA 94608

0515nov2.dkt

February 2, 1996

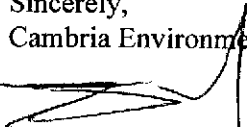
Dale Klettke
Alameda County CC4580
Environmental Health Services
1131 Harbor Bay Parkway, #250
Alameda, CA 94502-6577

Re: Former Exxon Service Station
3055 35th Avenue
Oakland, California

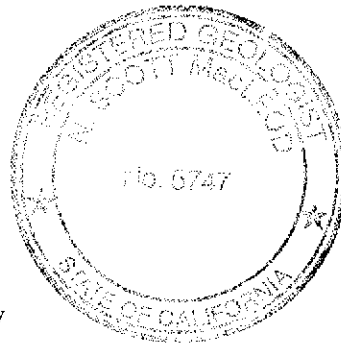
Dear Mr. Klettke:

As we discussed this week on the telephone, Cambria is moving forward with investigation and remediation efforts at the site referenced above. As we discussed, we will be conducting feasibility tests at the site including soil vapor extraction, ground water extraction and air sparging. We discussed this feasibility test with you when you first assumed this project from Ms. Susan Hugo in late 1995. We were delayed pending approval of our proposal by the State Tank Fund and, more recently, by the weather. We intend to begin the test once we have a several days of dry weather, which should be within the next week or two. As we agreed, we will submit an investigation and corrective action workplan once we have completed the feasibility tests. Therefore, this letter serves as the submittal required in your January 22, 1996 letter. Please call if you have any questions or comments.

Sincerely,
Cambria Environmental Technology, Inc.



N. Scott MacLeod, R.G.
Principal Geologist



cc: Lynn Worthington, Better Homes Realty

D:\PROJECT\MISC\ROSE\OAKL-002\KLETTKE-WPD

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH
State Water Resources Control Board
Division of Clean Water Programs
UST Local Oversight Program
1131 Harbor Bay Parkway
Alameda, CA 94502-6577
(510) 567-6700

September 28, 1995
STID 515

Mr. Lynn Worthington
Better Homes Realty
5942 MacArthur Blvd. Suite B
Oakland, California 94605

RE: Former Exxon Service Station
3055 35th Avenue, Oakland, California 94619

PARCEL #

27-890-6-2

GOLDEN EMPIRE PROPERTIES
5942 MACARTHUR BL
#B, OAKLAND, CA
94605

Dear Mr. Worthington:

This department has recently reviewed the case file for the subject site including the recent analytical results of the soil samples collected from the stockpiled soil generated during the removal of the underground storage tanks.

Approximately 312 cubic yards of soil was characterized for petroleum hydrocarbon contamination. A total of 12 discreet samples were collected and composited into 6 samples for petroleum hydrocarbon analyses (TPH gas, TPH diesel, TPH as oil & grease, BTEX). The analytical results indicate low levels of petroleum hydrocarbon ranging from 2.3 to 31 ppm TPH diesel, 23 to 340 ppm TPH as oil & grease, nd to 1.2 ppm TPH gas, nd benzene, nd toluene, nd ethyl benzene, nd to 0.012 ppm xylenes. Based on the data submitted to this office, the stockpiled soil can be used to backfill the excavation.

This office has the following issues which must be addressed regarding the soil and groundwater investigation at the subject site:

- 1) It appears that the extent of the soil and groundwater contamination remains undefined. The three on-site monitoring wells have consistently detected very high levels of petroleum hydrocarbon contamination since May 1994. The last sampling event (May 23, 1995) found sheen in well MW-3 and elevated levels of dissolved petroleum hydrocarbon up to 310,000 ppb TPH gasoline, 18,000 ppb benzene, 17,000 ppb toluene, 4,500 ppb ethyl benzene, and 6,600 ppb xylene. The soil and groundwater investigation must be expanded to determine the lateral extent of the contamination. A work plan to delineate the extent of the contamination related to the former tanks must be submitted no later than November 27, 1995.
- 2) Monitoring well sampling frequency must occur every quarter. The three wells must be sampled for the following target compounds: TPH gasoline, TPH diesel, benzene, toluene, ethyl benzene, xylene and MTBE. In addition, TPH motor oil shall be analyzed in well MW-1 which is located within 10 feet of the former waste oil tank.

Mr. Lynn Worthington
RE: 3055 35th Avenue, Oakland, Ca 94619
September 28, 1995
Page 2 of 3

- 3) Based on the data submitted for the subject site, it appears that the plume has migrated off-site. In the interest of minimizing environmental contamination and facilitate prompt clean up, **a corrective action plan shall be submitted no later than December 28, 1995.** Your corrective action plan shall include at a minimum the following elements: an assessments of the impacts, a feasibility study and applicable cleanup levels. An interim remediation measures should also be implemented to prevent continuous plume migration.
- 4) Please submit a time schedule for all phases of the investigation and remediation activities at the site.

Until cleanup is complete, you will need to submit reports to this office every three months (or at a more frequent interval, if specified at any time by this agency). In addition, the following items must be incorporated in your future reports or workplans:

- a cover letter from the responsible party or tank owner stating the accuracy of the report and whether he/she concurs with the conclusions and recommendations in the report or workplan
- site map delineating contamination contours for soil and groundwater based on recent data should be included and the status of the investigation and cleanup must be identified
- proposed continuing or next phase of investigation / cleanup activities must be included to inform this department of the responsible party or tank owner's intention
- any changes in the groundwater flow direction and gradient based on the measured data since the last sampling event must be explained
- historical records of groundwater level in each well must be tabulated to indicate the fluctuation in water levels
- tabulate analytical results from all previous sampling events; provide laboratory reports (including quality control/quality assurance) and chain of custody documentation

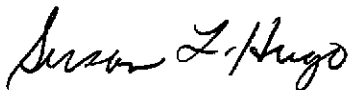
All reports and proposals must be submitted under seal of a California Registered Geologist or Registered Civil Engineer with a statement of qualifications for each lead professionals involved with the project.

Mr. Lynn Worthington
RE: 3055 35th Street, Oakland, CA 94619
September 28, 1995
Page 3 of 3

Additionally, please notify this office 72 hours in advance of any field work at the site.

If you have any questions concerning this letter, please contact me at (510) 567-6780 or Dale Klettke (who will provide continuous oversight for the case) at (510) 567-6880.

Sincerely,



Susan L. Hugo
Senior Hazardous Materials Specialist

cc: Jun Makishima, Interim Director, Environmental Health
Kevin Graves, San Francisco Bay RWQCB
George Young, Acting Chief, Environmental Protection
Division / files
Scott MacLeod, Cambria, 1144 65th St., Emeryville, CA 94608

LOP - RECORD CHANGE REQUEST FORM

printed:
09/28/95

Mark Out What Needs Changing and Hand to LOP Data Entry
(Name/Address changes go to Annual Programs Data Entry)

Insp: DK

AGENCY # : 10000 SOURCE OF FUNDS: F SUBSTANCE: 8006619
 StID : 515 LOC: 07/01/94
 SITE NAME: Exxon Gas & Auto Service DATE REPORTED : 01/17/91
 ADDRESS : 3055 35th Ave DATE CONFIRMED: 01/17/91
 CITY/ZIP : Oakland 94619 MULTIPLE RPs : N

SITE STATUS

CASE TYPE: U CONTRACT STATUS: 4 PRIOR CODE: 2B3 EMERGENCY RESP:
 RP SEARCH: S DATE COMPLETED: 02/03/92
 PRELIMINARY ASMNT: U DATE UNDERWAY: 08/23/91 DATE COMPLETED:
 REM INVESTIGATION: DATE UNDERWAY: DATE COMPLETED:
 REMEDIAL ACTION: DATE UNDERWAY: DATE COMPLETED:
 POST REMED ACT MON: DATE UNDERWAY: DATE COMPLETED:

ENFORCEMENT ACTION TYPE: 1 DATE ENFORCEMENT ACTION TAKEN: 02/03/92
 LUFT FIELD MANUAL CONSID: 2H
 CASE CLOSED: DATE CASE CLOSED:
 DATE EXCAVATION STARTED : 01/23/91 REMEDIAL ACTIONS TAKEN: NT

RESPONSIBLE PARTY INFORMATION

RP#1-CONTACT NAME: Lynn Worthington
 COMPANY NAME: Golden Empire Properties Inc.
 ADDRESS: 5942 Macarthur Blvd #b
 CITY/STATE: Oakland, Ca 94605

INSPECTOR VERIFICATION:			
NAME	SIGNATURE	DATE	
Name/Address Changes Only			
DATA ENTRY INPUT:			
ANNPGRMS		Case Progress Changes	
LOP	DATE	LOP	DATE

3/17/94

JT105 15

720271

Meeting w/ Lynn Worthington re: status

D tanks (5) removed 1991 - no investigation yet had
to date

9/13/91 - proposed 10 soil borings

2) State name of qualifications of

3) Time schedule -

- buy letter out tomorrow
- implement w/p with ~~30~~ 45 days ← push for 30 days
- results number in after 30 days of plan implementation

4) Letter ACHD out 2/9/93 ✓
Response rec'd 12/22/93 }

5) Complaints fr. City of Oakland

- Blessie call → re: status

STATE WATER RESOURCES CONTROL BOARD

DIVISION OF CLEAN WATER PROGRAMS

2014 T STREET, SUITE 130

P.O. BOX 944212

SACRAMENTO, CALIFORNIA 94244-2120

(916) 227-4307

(916) 227-4530 FAX



JUL 19 1994

Golden Empire Properties, Inc
5942 MacArthur Boulevard
Oakland, CA 94609

UNDERGROUND STORAGE TANK CLEANUP FUND, CLAIM NO. 001275, FOR SITE ADDRESS: 3055 - 35th Avenue,
Oakland, CA 94619

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

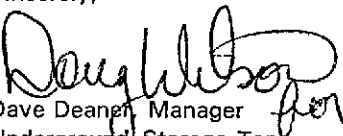
The SWRCB will take steps to withdraw this Letter of Commitment after 90 calendar days from the date of this transmittal letter unless you proceed with due diligence with your cleanup effort. This means that you must take positive, concrete steps to ensure that corrective action is proceeding with all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

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

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

If you have any questions regarding the Letter of Commitment or the Reimbursement Request package, please contact Donna Turcotte at (916) 227-4532.

Sincerely,


Dave Deane, Manager
Underground Storage Tank
Cleanup Fund Program

Attachments

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

✓ Alameda County EHD
Attn: Susan Hugo
80 Swan Way, Room 200
Oakland, CA 94621

LETTER OF COMMITMENT FOR REIMBURSEMENT OF COSTS

CLAIM NO: 001275

AMENDMENT NO: 0

CLAIMANT: Golden Empire Properties, Inc
CO-PAYEE: None

BALANCE FORWARD: \$0

THIS AMOUNT: \$20,000

CLAIMANT ADDRESS: Attn: Lynn Worthington
5942 MacArthur Boulevard
Oakland, CA 94609

NEW BALANCE: \$20,000

TAX ID / SSA NO.: 94-2270491

Subject to availability of funds, the State Water Resources Control Board (SWRCB) agrees to reimburse Golden Empire Properties, Inc (Claimant) for eligible corrective action costs at Former Service Station 3055 - 35th Avenue, Oakland, CA 94619 (Site). The commitment reflected by this Letter is subject to all of the following terms and conditions:

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

IN WITNESS WHEREOF, this Letter of Commitment has been issued by the SWRCB this 1st day of July, 1994.

STATE WATER RESOURCES CONTROL BOARD

BY [Signature]
Manager, Underground Storage Tank Cleanup Fund Program

BY [Signature]
Chief, Division Administrative Services

STATE USE :
CALSTARS CODING :
0550 - 569.02 - 30530

\$ _____

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

April 26, 1994
STID# 515

Mr. Lynn Worthington
Better Homes Realty
5942 MacArthur Blvd., Suite B
Oakland, California 94605

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: Investigation Work Plan
Former Exxon Service Station
3055 35th Avenue, Oakland, California 94619**

Dear Mr. Worthington:

This department has recently reviewed the Investigation Work Plan dated April 22, 1994, prepared by Cambria Environmental Technology, Inc. for the referenced site.

Based on this review, the work plan is acceptable and should be implemented within three to four weeks, no later than May 16, 1994.

Please submit a copy of the site safety plan and notify this office at least 72 hours in advance for the start up of work plan implementation so a site visit can be arranged by a representative from this office.

A report must be submitted within 30 days after completion of this investigation. Until cleanup is complete, you will need to submit reports to this office every three months or at a more frequent interval, if specified at any time. In addition, the following items must be incorporated in your future reports or workplans:

- a cover letter from the responsible party or tank owner stating the accuracy of the report and whether he/she concurs with the conclusions and recommendations in the report or workplan
- site map delineating contamination contours for soil and groundwater based on recent data should be included and the status of the investigation and cleanup must be identified
- proposed continuing or next phase of investigation / cleanup activities must be included to inform this department or the RWQCB of the responsible party or tank owner's intention
- any changes in the groundwater flow direction and gradient based on the measured data since the last sampling event must be explained

Mr. Lynn Worthington
RE: 3055 35th Avenue, Oakland, CA 94619
April 26, 1994
Page 2 of 2

- historical records of groundwater level in each well must be tabulated to indicate the fluctuation in water levels
- tabulate analytical results from all previous sampling events; provide laboratory reports (including quality control/quality assurance) and chain of custody documentation

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

Because we are overseeing this site under the designated authority of the Regional Water Quality Control Board, this letter constitutes a formal requests for technical reports pursuant to California Water Code Section 13267 (b). Any extensions of stated deadlines or changes in the workplan must be confirmed in writing and approved by this agency.

Please contact me at (510) 271-4530 if you have any questions concerning this letter.

Sincerely,



Susan L. Hugo
Senior Hazardous Materials Specialist

cc: Rafat A. Shahid, Asst. Agency Director, Environmental Health
Rich Hiatt, San Francisco Bay RWQCB
Edgar B. Howell, Chief, Hazardous Materials Division - files
Bernard F. Rose, Randick & O'Dea, 1800 Harrison Street
Suite 2350, Oakland, CA 94612
N. Scott MacLeod, Cambria Environmental Technology, Inc.
1144 65th Street, Suite C, Oakland, CA 94608

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY



DAVID J. KEARS, Agency Director

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

March 18, 1994
STID# 515

DEPARTMENT OF ENVIRONMENTAL HEALTH
State Water Resources Control Board
Division of Clean Water Programs
UST Local Oversight Program
80 Swan Way, Rm 200
Oakland, CA 94621
(510) 271-4530

Mr. Lynn Worthington
Better Homes Realty
5942 MacArthur Blvd., Suite B
Oakland, California 94605

**RE: Former Exxon Service Station
3055 35th Avenue, Oakland, California 94619**

Dear Mr. Worthington:

This letter documents the issues discussed during the meeting of March 17, 1994, attended by Mr. Bernard Rose, yourself and myself at this office regarding the status of the site investigation of pollution conditions in soil and groundwater at the referenced site.

The items listed below were discussed during this meeting :

- 1) The addendum to the workplan for subsurface petroleum hydrocarbon contamination dated September 24, 1993 and received by this office in December 22, 1993 is acceptable to this office with the following conditions:
 - * Submit a site map delineating contamination contours for soil using the data collected to date.
 - * The vertical and lateral extent of soil and groundwater contamination must be delineated. The isoconcentration line of the contaminant plume must be determined.
 - * The rationale for the locations of the three proposed monitoring wells must be explained. The site map should incorporate the placement of the wells in reference to the locations of the twelve exploratory soil borings and the former tank areas.
 - * All wells must be surveyed to an accuracy of 0.01 foot and referenced to mean sea level (MSL).
 - * A time schedule for all phases of the investigation and remediation activities must be submitted.
 - * Reports and proposals must be submitted under seal of a California Registered Geologist or Registered Civil Engineer including a statement of qualifications for each lead professionals.

- 2) Hydropunch may be used as an option to locate areas for proper well placement. However, monitoring wells must be installed to determine the impact to groundwater of the unauthorized release from the former tanks. In addition, conducting hydropunch should not delay the implementation of the workplan.

Mr. Lynn Worthington
RE: 3055 35th Avenue, Oakland, CA 94619
March 18, 1994
Page 2 of 2

- 3) The approved workplan must be implemented within 30 days from the date of this letter. Any extension of stated deadlines or changes in the workplan must be confirmed in writing and approved by this office.
- 4) This office is aware of your pending letter of commitment from the cleanup fund. However, you must be in compliance with the corrective action regulations to be eligible for reimbursements. The site investigation and/or remediation must be conducted in a timely fashion.

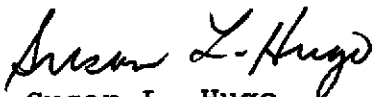
A report must be submitted within 30 days after completion of this investigation. Until cleanup is complete, you will need to submit reports to this office every three months (or at a more frequent interval, if specified at any time by this agency). In addition, the following items must be incorporated in your future reports or workplans:

- a cover letter from the responsible party or tank owner stating the accuracy of the report and whether he/she concurs with the conclusions and recommendations in the report or workplan
- site map delineating contamination contours for soil and groundwater based on recent data should be included and the status of the investigation and cleanup must be identified
- proposed continuing or next phase of investigation / cleanup activities must be included to inform this department of the responsible party or tank owner's intention
- any changes in the groundwater flow direction and gradient based on the measured data since the last sampling event must be explained
- historical records of groundwater level in each well must be tabulated to indicate the fluctuation in water levels
- tabulate analytical results from all previous sampling events; provide laboratory reports (including quality control/quality assurance) and chain of custody documentation

Mr. Lynn Worthington
RE: 3055 35th Avenue, Oakland, CA 94619
March 18, 1994
Page 3 of 3

Please contact me at (510) 271-4530 if you have any questions concerning this letter.

Sincerely,



Susan L. Hugo
Senior Hazardous Materials Specialist

cc: Rafat A. Shahid, Asst. Agency Director, Environmental Health
Gil Jensen, Alameda County District Attorney's Office
Edgar B. Howell, Chief, Hazardous Materials Division - files
Bernard F. Rose - 1800 Harrison, Suite 1771
California, Oakland 94612

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY



DAVID J. KEARS, Agency Director

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

Certified Mail# P 113 815 497

February 9, 1993
STID# 515

DEPARTMENT OF ENVIRONMENTAL HEALTH
State Water Resources Control Board
Division of Clean Water Programs
UST Local Oversight Program
80 Swan Way, Rm 200
Oakland, CA 94621
(510) 271-4530

Mr. Lynn Worthington
Better Homes Realty
5942 MacArthur Blvd. Suite B
Oakland, California 94605

**RE: Work Plan for Subsurface Petroleum Hydrocarbon
Contamination Assessment at Former Exxon Service Station
3055 35th Avenue, Oakland, California 94619**

Dear Mr. Worthington:

This department has recently reviewed the case file concerning the removal of five underground storage tanks at the referenced site. We are in receipt of the "Work Plan for Subsurface Petroleum Hydrocarbon Contamination Assessment" prepared by Consolidated Technologies.

Based on this review, the following issues needed clarification and must be addressed by way of an addendum to the work plan:

- * Soil contamination as high as 2,100 parts per million (ppm) of Total Petroleum Hydrocarbon as gasoline and 56 ppm of benzene still remains on site. Please describe the methods that will be implemented to remediate elevated levels of soil contamination and submit a site map delineating contamination contours for soil. *needs to submit?*
- * Soil samples must be collected every five feet as per RWQCB's guideline. Field instruments are acceptable as a screening tools. Any evidence of soil contamination such as odor, visual staining or field instrument readings must be verified by analysis from a state certified laboratory.
- * Please explain the rationale for the locations of the proposed monitoring wells MW-1, MW-2, and MW-3. As per the requirements specified in the "Tri-Regional Board Staff Recommendations for Preliminary Evaluation and Investigation of Underground Tank Sites", August, 1990, one monitoring well must be installed within ten feet of the former tank in the verified downgradient direction. Site map should incorporate the placement of the three proposed monitoring wells in reference to the locations of the twelve exploratory soil borings and the former tank areas. *needs to submit?*

Mr. Lynn Worthington
RE: 3055 35th Avenue, Oakland, California 94619
February 9, 1993
Page 2 of 4

- ✓ * Groundwater elevation readings must be performed every month for six months. Data collected after six months will be evaluated if monthly or quarterly groundwater elevation readings is necessary for establishing groundwater flow direction at the site.
- ✓ * Groundwater monitoring wells must be sampled on a quarterly basis and analyzed for the following target compounds: TPH gasoline, TPH diesel, benzene, toluene, ethylbenzene, xylene, total oil and grease. After four quarters of non detectable levels have been achieved, the frequency of sampling events will be evaluated and/or a recommendation for signoff/case closure by RWQCB will be determined.
- ✓ * Stockpiled soil must be characterized and disposed properly. Please provide this office with copies of stockpiled soil disposal.
- ask * Please clarify if four of these tanks were 4000 gallon capacity tanks for motor fuel storage or two tanks were 6000 gallon and the other two were 4000 gallon capacity as stated in the manifests of the tanks disposal.
- ✓ * All pipings associated with the former tanks must be removed and properly disposed. Soil samples must be collected (one sample per 20 lineal feet) and analyzed for target compounds by a state certified laboratory.
- * Chain of custody for soil samples collected on 11/6/91 was not signed and dated by the receiving laboratory. Please submit a copy of the chain of custody as signed by the receiving laboratory.
- ✓ * Boring logs submitted for B-9 was dated 5/11/91. The twelve exploratory soil borings at the site were conducted on November 5, 1991. Please submit a copy of the boring logs for B-9 performed on November 5, 1991.
- * A time schedule for all phases of the investigation and remediation activities and anticipated time when cleanup will be completed at the site must be submitted to this office.

need to be submitted

Please respond to the items listed above within 30 days of the date of this letter or by **March 10, 1993.**

Mr. Lynn Worthington
RE: 3055 35th Avenue, Oakland, California 94619
February 9, 1993
Page 3 of 4

A report must be submitted within **30 days** after completion of this investigation. Until cleanup is complete, you will need to submit reports to this office and to RWQCB every three months (or at a more frequent interval, if specified at any time by either agency). In addition, the following items must be incorporated in your future reports or workplans:

- a cover letter from the responsible party or tank owner stating the accuracy of the report and whether he/she concurs with the conclusions and recommendations in the report or workplan
- site map delineating contamination contours for soil and groundwater based on recent data should be included and the status of the investigation and cleanup must be identified
- proposed continuing or next phase of investigation / cleanup activities must be included to inform this department or the RWQCB of the responsible party or tank owner's intention
- any changes in the groundwater flow direction and gradient based on the measured data since the last sampling event must be explained
- historical records of groundwater level in each well must be tabulated to indicate the fluctuation in water levels
- tabulate analytical results from all previous sampling events; provide laboratory reports (including quality control/quality assurance) and chain of custody documentation

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

Rich Hiett
RWQCB, San Francisco Bay Region
2101 Webster Street, Fourth Floor
Oakland, California 94612

Because we are overseeing this site under the designated authority of the Regional Water Quality Control Board, this letter constitutes a formal requests for technical reports

Mr. Lynn Worthington
 RE: 3055 35th Avenue, Oakland, California 94619
 February 9, 1993
 Page 4 of 4

pursuant to California Water Code Section 13267 (b). Any extensions of stated deadlines or changes in the workplan must be confirmed in writing and approved by this agency or RWQCB.

Please contact me at (510) 271-4530 if you have any questions concerning this letter.

Sincerely,

Susan L. Hugo

Susan L. Hugo
 Senior Hazardous Materials Specialist

cc: Rafat A. Shahid, Asst. Agency Director, Environmental Health
 Rich Hiett, San Francisco Bay RWQCB
 Gil Jensen, Alameda County District Attorney's Office
~~Edgar B. Howell~~, Chief, Hazardous Materials Division - files
 David Hobbs - Consolidated Technologies
 1777 Saratoga Avenue, Suite 100, San Jose, CA 95129

P 113 815 497



Receipt for Certified Mail

No Insurance Coverage Provided
 Do not use for International Mail
 (See Reverse)

(SH) #515

Sent to	Lynn Worthington
Street and No.	5942 MacArthur Bl Ste B
P.O., State and ZIP Code	Oakland CA 94605
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

Thank you for using Return Receipt Service.

PS Form 3800, June 1991

SENDER: • Complete items 1 and/or 2 for additional services. • Complete items 3, and 4a & b. • Print your name and address on the reverse of this form so that we can return this card to you. • Attach this form to the front of the mailpiece, or on the back if space does not permit. • Write "Return Receipt Requested" on the mailpiece below the article number. • The Return Receipt will show to whom the article was delivered and the date delivered.		I also wish to receive the following services (for an extra fee): 1. <input type="checkbox"/> Addressee's Address 2. <input type="checkbox"/> Restricted Delivery Consult postmaster for fee.	
3. Article Addressed to: (SH) #515 Lynn Worthington Better Homes Realty 5942 MacArthur Blvd., Ste B Oakland CA 94605		4a. Article Number P 113 815 497	
5. Signature (Addressee) <i>[Signature]</i>		4b. Service Type <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise	
6. Signature (Agent) <i>[Signature]</i>		7. Date of Delivery 2/12/93	
		8. Addressee's Address (Only if requested and fee is paid)	

Lynn A. Worthington

REAL ESTATE BROKER

5942 MACARTHUR BLVD. #8
OAKLAND, CA 94605
TELEPHONE (415) 562-8600

92 AUG 17 11 51

August 13, 1992

~~Jennifer Eberle~~ — Susan Hugo
Alameda County Health Care Services
Dept. of Environmental Health
80 Swan Way, Room #200
Oakland, California 94621

STID 575

Dear Ms. Eberle:

RE: Former Exxon Station
3055 35th Avenue
Oakland, CA 94619

Thank you for the time you gave me last week on the phone discussing my site on 35th Avenue in Oakland.

As I explained to you, I am working with environmental firms developing the requested information in your letter of July 1, 1992.

I have employed Consolidated Technologies for the purpose of developing the work plan as requested. As I explained to you, I will not be in a position to meet the August 15, 1992 deadline and therefore respectfully request a short extension of time. Consolidated Technologies are presently working on the plan and you may contact them at (408) 725-8300 and ask for Chris who is the office manager and she can confirm that the plan is now being written for your approval.

As I also explained to you, I contacted several firms for help and guidance and have become even more confused over this process. To date, I have spent over \$60,000 for tank removal, soil testing, permit fees, and consulting fees and there seems to be no end to what people want to charge.

The firms contacted are as follows:

- 1) Seacor
- 2) Wahler Associates
- 3) Consolidated Technologies

I have enclosed cover letters, correspondence, etc., to verify that I have in fact pursued obtaining the requested information in good faith.

Please extend the August 15, 1992 date for approximately 21 days thereby allowing Consolidated Technologies the opportunity to provide your office with the requested work plan.

page 2
Jennifer Eberle
Alameda County Health Care Services
Dept. of Environmental Health

If you need further information from me, please contact me.

Sincerely,


Lynn A. Worthington

cc: Julie Rose, Law Offices of Randick & O'Dea, 1800 Harrison
St., Suite 1771, Oakland, CA 94612
Mark Thomson, Alameda County District Attorney
Rick Hiatt, RWQCB
File

LAW/rg

STATE WATER RESOURCES CONTROL BOARD

DIVISION OF CLEAN WATER PROGRAMS

2014 T STREET, SUITE 130

P.O. BOX 944212

SACRAMENTO, CA 94244-2120

(916) 739-2475

(916) 739-2300 FAX



July 16, 1992

NOTICE TO CLAIMANTS SEEKING FUNDS FROM THE UNDERGROUND STORAGE TANK CLEANUP FUND

Enclosed is the Initial Priority List for the Underground Storage Tank Cleanup Fund Program adopted by the State Water Resources Control Board on July 16, 1992. The list includes the 3,118 claim applications conditionally accepted during the cursory review process and an additional 465 claims added as a result of decisions on appeals. The list identifies the priority class assigned and the priority rank for each claim.

PLACEMENT ON THE PRIORITY LIST DOES NOT INDICATE THAT YOUR CLAIM IS VALID, DOES NOT CONSTITUTE A COMMITMENT TO REIMBURSE COSTS REQUESTED IN THE CLAIM, AND DOES NOT INDICATE THAT THE CORRECT PRIORITY HAS BEEN ASSIGNED! A FINAL DETERMINATION ON THESE ITEMS WILL BE MADE WHEN CLAIMS ARE PROCESSED.

Claims will generally be processed in order of priority class and rank. This will include a more in-depth review of the claim application, requesting further information as needed, and verification with the local regulatory agency. We hope to begin issuing Letters of Commitment and payment warrants on the highest priority claims by September 1992. ~~During the next twelve months we plan to process all claims in Class "A" and about half of the claims in Class "B".~~

Please note that the priority list is dynamic and that the ranking of your claim may rise or fall as claims are deleted from or added to the list as the result of decisions on appeals. The State Water Board will make interim updates to the list every other month, to reflect these decisions. Claims received after January 17, 1992 will not be considered for placement on the list until the next major update which is expected to occur in March 1993. An updated list will not be mailed until just prior to that time. The cutoff date for that update has been set for October 23, 1992.

If you have any questions regarding the Fund, please contact your claim reviewer.

Sincerely,

Handwritten signature of Dave Deaner in cursive script.

Dave Deaner, Manager
Underground Storage Tank Cleanup Fund Program

Attachment

**** See back of page for information on Department of Commerce Loan Program ****

UST CLEANUP FUND PROGRAM
INITIAL PRIORITY LIST
ADOPTED JULY 16, 1992

PRIORITY RANK	CLAIM NUMBER	NAME	SITE ADDRESS	SITE CITY	SITE COUNTY	TOTAL AMOUNT
B	133	1274 FREEWAY MOTORS LEASING COMPANY, INC	646 S ATLANTIC BOULEVARD	LOS ANGELES	19	\$ 66,625
B	134	412 DAVE'S PIT STOP	164 CALISTOGA ROAD	SANTA ROSA	49	\$249,611
B	135	2817 FORMULABS, INCORPORATED	529 W 4TH AVENUE	ESCONDIDO	37	\$170,000
B	136	1019 STEWART WELLS	1-80 AND RAJRA ROAD	GOLD HUR	31	\$239,418
B	137	3058 ROBERT A. BAY	590 FRENCH	MONTSELEY	27	\$629,000
B	138	1398 JOHN C. KELLY	735 N. MILPAS STREET	SANTA BARBARA	42	\$811,345
B	139	2383 FRED MERCURIO TRUST	416 8TH AVENUE	SAN DIEGO	37	\$180,950
B	140	477 SANNEY M. HALL, JR.	2659 ORO DAN BOULEVARD	GRONVILLE	4	\$ 34,236
B	141	3192 EGON SCHNEIDER	60 W BARNAM	SANTA ROSA	49	\$ 18,395
B	142	1843 LAT CHING HOH	3252-24 MIDWAY DRIVE	SAN DIEGO	37	\$ 86,784
B	143	2361 TOM AND ALICE WALLACE	30602 ROAD 66	OSHEEN	54	\$ 43,640
B	144	4417 MICHAELSON FAMILY TRUST	18446 HART STREET	NEKEHA	19	\$ 68,890
B	145	3235 LOS ANGELES CHEMICAL COMPANY	6325 ANDINE STREET	SOUTH GATE	19	\$469,000
B	146	1115 ROBERT J. PIERCE	1630 SILVERADO TRAIL	NAPA	20	\$508,042
B	147	2901 WEINZ GIEZE AUTOMATS, INC.	1027 VIRGINIA WAY	LA JOLLA	37	\$ 24,598
B	148	2306 WILLIS M. ALLEN JR	1902 NATIONAL AVENUE	SAN DIEGO	37	\$116,000
B	149	2625 FOURTH STREET PROJECT	78 E 4TH STREET	SAN JOSE	43	\$129,094
B	150	3076 PERRY K. PAULMEYER	450 E 14TH STREET	OAKLAND	1	\$ 34,335
B	151	966 CHESTON CORPORATION	525 M SHAW	CLOVIS	10	\$ 59,588
B	152	2000 GUTHRIE PETROLIUM, INC.	325 MAPLE STREET	MINOCTA	10	\$ 78,704
B	153	1932 ROBERT W. AND ROBERTA J. BRIDGEMAN	39225 S HIGHWAY 1	SHALALA	23	\$ 13,462
B	154	2149 MARJINE W. AND LLOYD P. IRWIN	6422 MANCHESTER BOULEVARD	BERNA PARK	30	\$ 40,978
B	155	1685 MARJORIE ANN CONRAGY	1002 N YOSEMITE STREET	STOCKTON	29	\$ 92,834
B	156	3293 PATRICK O. SCOTT	1580 MAIN STREET	ST HELENA	28	\$ 27,233
B	157	3031 RALPH E. PAULMEYER FAMILY TRUST	1260 S MAIN STREET	TRONA	47	\$163,884
B	158	2875 GRANT E. PHANUWAT AND ASSOCIATES, IN.	545 E STREET	WILLIAMS	4	\$168,399
B	159	2220 DOMINIQUE MATHON (MRS) BARRET	11243 SAN FERRANDO ROAD	SAN FERRANDO	19	\$250,943
B	161	1405 JOHN C. LAUNDER	3616 GRAVENSTEIN HIGHWAY S	SEBASTOPOLE	49	\$266,380
B	162	1118 MALCOLM D. AND VIOLET E. BARRETT	8728 S WORNWALK BOULEVARD	LOS ANGELES	19	\$ 44,008
B	163	789 SADELO AYAKLAN AVINIKIAN	3740 E OLYMPIC BOULEVARD	LOS ANGELES	19	\$685,000
B	164	381 CRAIG P. BELL, JR. & MARY R. WESNER	1099 CLEMENS HIGHWAY 1	OCEANO	60	\$ 22,535
B	165	3230 ED WILLIAMS OF SACRAMENTO INC.	1616 20TH STREET	SACRAMENTO	34	\$ 70,324

UST CLEANUP FUND PROGRAM
INITIAL PRIORITY LIST
ADOPTED JULY 16, 1992

PRIORITY RANK	CLAIM NUMBER	NAME	SITE ADDRESS	SITE CITY	SITE COUNTY	TOTAL AMOUNT
B	166	1420 SHARAD AND MANANDRA PATEL	735 S PACIFIC COAST HIGHWAY	LONG BEACH	19	\$ 40,000
B	167	3842 MOUNTAIN VIEW FEED AND SEED COMPANY	9962 CROSS LANDING ROAD	CROSS LANDING	50	\$154,940
B	168	4328 KR STAN PROLO	555 PACIFIC AVE	SANTA CLUZ	64	\$ 45,200
B	169	3672 SAN-VASO TRUCK AND AUTO	HIGHWAY 101 AND WELLSFAR ROAD	PALO ALTO	49	\$ 49,624
B	170	473 BERGLUND, INC.	110 CAMINO DRUGA	NAPA	28	\$990,000
B	171	1097 NYACK GARAGE	T NYACK ROAD	EMERYVALE GAP	37	\$519,222
B	172	3669 J AND L OIL COMPANY	11470 EDINGER AVENUE	FOUNTAIN VALLEY	30	\$ 42,665
B	173	1960 ROBERT E. AND GEORGIANNAN. TRETIN	3251 S MARKET STREET	REDDING	45	\$ 79,046
B	174	3833 D.P. INVESTMENTS COMPANY & BREEDLOVE	2291 E 28TH STREET	SIGNAL HILL	19	\$467,639
B	175	1035 MICHAEL S. BULLOU	1295 E 8TH STREET	CHICO	4	\$ 49,899
B	176	2201 RMC BUILDERS SUPPLY, INC.	3434-B GLENWOOD DRIVE	FRENCH	1	\$121,497
B	177	151 ERNEST P. JENSEN	494 2ND STREET	PETALUMA	49	\$103,135
B	178	483 BERGLUND, INC.	1600 S MAIN STREET	WILLITS	23	\$990,000
B	179	4439 JAMES B WHITE SR	A E 12TH STREET	MARYSVILLE	58	\$ 7,500
B	180	219 UNION CHEMICAL COMPANY, INC.	7657 AZUSA ROAD	DOY PALMS	24	\$ 30,440
B	181	3074 W. S. BILLS, INC.	1943 HILL STREET	OCEANSIDE	37	\$ 13,000
B	182	3877 FOM C'S PARTNERSHIP	6123 INEZ	VENTURA	56	0
B	183	662 L AND G INVESTORS	4220 LAKE SHORE BOULEVARD	LAKEPORT	17	\$395,237
B	184	2007 THOMPSON POOL PLUMBING, INC.	1332 N HILLER STREET	ANAHIM	30	\$ 29,437
B	185	3646 BOFARD, INC.	1050 FRENCH DRIVE	NAPA	28	\$ 33,149
B	186	316 ISACKSON MOTORS	601 I STREET	ARCATA	12	\$230,186
B	187	2181 SAN LUIS CORPORATION	550 S CLEMENS AVENUE	MCTY CONINA	19	\$140,000
B	188	3226 HOLWINTER REAL ESTATE & INV CO	40533 RIG BEAR BLVD	BIG BEAR LAKE	36	\$275,831
B	189	454 TED KNOWLES	1148 HAMMER LAKE	STOCKTON	39	\$601,014
B	190	2915 REUSER, INC.	379 SANTANA DRIVE	CLOVERDALE	49	\$ 56,692
B	191	987 VASCO, INC.	613 W 4TH STREET	HANFORD	16	\$ 54,795
B	192	1494 ALLESON W. MCCORMICK	2791 RIVERSIDE BOULEVARD	SACRAMENTO	34	\$214,973
B	193	188 H. ROBERT THOMAS	1300 AIRPORT DRIVE	BAKERSFIELD	15	\$ 67,000
B	194	1666 COLONIAL PARK, INC.	3645 OLD REDWOOD HIGHWAY	SANTA ROSA	49	\$ 63,000
B	195	759 CAROLYNE FRUITMAN	1832 EL CAMINO	SACRAMENTO	34	\$149,326
B	196	4164 MR. MARTIN FISCHER	2616 S CONNER AVENUE	LOS ANGELES	19	\$231,030
B	197	2095 FRANK E. FICKEY	3954 W OLYMPIC BOULEVARD	LOS ANGELES	19	\$516,046
B	198	2904 AL WILLIAMS ..	6801 HIGHWAY 78	ESCONDIDO SPRINGS	37	\$670,586

**State Water Resources Control Board
Division of Clean Water Programs**

Underground Storage Tank Cleanup Fund

Initial Priority List

July 16, 1992

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY

DAVID J. KEARS, Agency Director

RAFAT A. SHAHID, Assistant Agency Director

Certified Mailer # P 118 918 786

July 1, 1992

STID 515

Better Homes Realty
5942 MacArthur Blvd., Ste B
Oakland CA 94605
Attn: Lynn Worthington

RE: Former Exxon Station
3055-35th Av.
Oakland CA 94619

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

SECOND REQUEST FOR SUBSURFACE INVESTIGATION

Dear Mr. Worthington,

We have received the hazardous waste manifests for the removal of 5 underground storage tanks (USTs) at the above referenced site.

In a letter dated May 1, 1992, we requested that you submit a proposal for a subsurface investigation by June 15, 1992. This is our **second request** for submission of a proposal for a subsurface investigation. Please be advised that this letter constitutes a formal request for technical reports pursuant to Section 13267 (b) of the California Water Code. Failure to respond could result in civil penalties, a maximum of \$1,000 per day. Any extensions of stated deadlines or changes in the workplan must be confirmed in writing and approved by this agency or the RWQCB.

In addition, "the owner of an underground storage tank (UST) being closed. . . shall demonstrate to the satisfaction of the local agency that no unauthorized release has occurred," according to Section 2672(d) of Title 23 of the California Code of Regulations. "The detection of any unauthorized release shall require compliance with the reporting requirements. . .," according to Section 2672(e) of Title 23 of the California Code of Regulations. The authority for these regulations is cited in Sections 25298(c)(4), of the Health and Safety Code.

The proposal must address delineation of the vertical and lateral extent of soil contamination. The proposal must also include a groundwater investigation, which generally consists of 3 monitoring wells situated in a triangular fashion to determine groundwater flow direction.

Lynn Worthington
 STID 515
 Page 2 of 2
 July 1, 1992

Please send this proposal to the attention of J. Eberle of this office within 45 days of the date of this letter, or by August 15, 1992.

All reports and proposals must be submitted under seal of a California-Registered Geologist, -Certified Engineering Geologist, or -Registered Civil Engineer. All proposals, reports, and analytical results pertaining to this investigation and remediation must be sent both to our office and to:

Rich Hiett
 RWQCB, San Francisco Bay Region
 2101 Webster St., Suite 500
 Oakland CA 94612

If you have any questions, please contact Jennifer Eberle at 510-271-4320.

Sincerely,

Susan L. Hugo

Susan Hugo
 Senior Hazardous Materials Specialist

cc: Julie Rose, Law Offices of Randick & O'Dea, 1800 Harrison St., Ste 1771, Oakland CA 94612
 Mark Thomson, Alameda County District Attorney
 Rich Hiett, RWQCB
 File

je

P 118 918 786

<p>Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.</p>	
<p>1. <input type="checkbox"/> Show to whom delivered, date, and addressee's address. 2. <input type="checkbox"/> Restricted Delivery (Extra charge)</p>	
<p>3. Article Addressed to: (JE) #515 Better Homes Realty Attn: Lynn Worthington 5942 MacArthur Blvd., Ste. B Oakland, CA 94605</p>	<p>4. Article Number P 118 918 786</p> <p>Type of Service: <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise</p> <p>Always obtain signature of addressee or agent and DATE DELIVERED.</p>
<p>5. Signature - Addressee <i>[Signature]</i></p>	<p>8. Addressee's Address (ONLY if requested and fee paid)</p>
<p>6. Signature - Agent <i>[Signature]</i></p>	
<p>7. Date of Delivery 7/1/92</p>	

Receipt for Certified Mail
 No Insurance Coverage Provided
 Do not use for International Mail
 (See Reverse)

(JE) #515

Sent to: Lynn Worthington	
Street or P.O. No. 5942 MacArthur Blvd., Ste B	
P.O. State and ZIP Code Oakland, CA 94605	
Postage:	\$
Certified Fee:	
Special Delivery Fee:	
Restricted Delivery Fee:	
Return Receipt Showing to Whom & Date Delivered:	
Return Receipt Showing to Whom, Date, and Addressee's Address:	
TOTAL Postage & Fees:	\$
Postmark or Date	

LAW OFFICES
RANDICK & O'DEA
1800 HARRISON, SUITE 1771
OAKLAND, CALIFORNIA 94612

ROBERT A. RANDICK, JR.
BRIAN M. O'DEA
SUSAN M. TEEL
ROBERT W. DRANE
BERNARD F. ROSE, PH.D.
REBECCA T. DIXON
JULIE M. ROSE
WILLIAM J. TRINKLE

TELEPHONE
(510) 836-3555

TELECOPIER
(510) 834-4748

June 16, 1992

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

Re: Former Exxon Station
3055 35th Ave.
Oakland, CA 94619

Dear Ms. Hugo:

Enclosed are the hazardous waste manifests for the removal of the underground storage tanks at the above-referenced site.

In you have any questions, please contact me.

Very truly yours,

RANDICK & O'DEA


Julie M. Rose

JMR:co'b
Enclosure
cc: Mr. Worthington

92 JUN 17 10:11:59

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator's US EPA ID No. CA C 0 0 0 0 2 5 3 3 0 5		Manifest Document No. 0 0 0 0 0 2		Page 1 of 1		Information in the shaded areas is not required by Federal law.							
3. Generator's Name and Mailing Address BETTER HOMES REALTY 5942 Mac Arthur Boulevard, Oakland, Ca. 94605						A. State Manifest Document Number 90544956									
4. Generator's Phone (415) 562-8600						B. State Generator's ID									
5. Transporter 1 Company Name H & H Ship Service Company			6. US EPA ID Number CA D 0 0 0 4 7 7 1 1 6 8			C. State Transporter's ID 200558/200544									
7. Transporter 2 Company Name						D. Transporter's Phone (415) 543-4835									
9. Designated Facility Name and Site Address H & H Ship Service Company 220 China Basin Street San Francisco, CA 94107						10. US EPA ID Number CA D 0 0 0 4 7 7 1 1 6 8									
11. US DOT Description (Including Proper Shipping Name, Hazard Class, and ID Number)						12. Containers		13. Total Quantity		14. Unit Wt/Vol		15. Waste No.			
a. RESIDUE GASOLINE TANK NON RCRA HAZARDOUS WASTE SOLID						0 0 1		T P 0 5 0 0 0		P		State 512 EPA/Other			
b. RESIDUE GASOLINE TANK NON RCRA HAZARDOUS WASTE SOLID						0 0 1		T P 0 1 0 0 0		P		State 512 EPA/Other			
c.												State EPA/Other			
d.												State EPA/Other			
J. Additional Descriptions for Materials Listed Above PUMPED OUT 6,000 and 4,000 gallon tanks last containing gasoline. Tanks inerted with dry ice for transport.						K. Handling Codes for Wastes Listed Above		a. 01		b. 01		c.		d.	
15. Special Handling Instructions and Additional Information JOB #6886 24 Hr. Emergency Contact - H & H # (415) 543-4835 APPROPRIATE PROTECTIVE CLOTHING AND RESPIRATOR JOB SITE: EXXON STATION 3055 - 35th Avenue Oakland, California															
16. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national government regulations. If I am a large quantity generator, I certify that I have a program in place to reduce the volume and toxicity of waste generated to the degree I have determined to be economically practicable and that I have selected the practicable method of treatment, storage, or disposal currently available to me which minimizes the present and future threat to human health and the environment; OR, if I am a small quantity generator, I have made a good faith effort to minimize my waste generation and select the best waste management method that is available to me and that I can afford.															
Printed/Typed Name				Signature				Month Day Year 10 11 7 9 1							
17. Transporter 1 Acknowledgement of Receipt of Materials															
Printed/Typed Name JOHN L. CICH				Signature				Month Day Year 10 11 7 9 1							
18. Transporter 2 Acknowledgement of Receipt of Materials															
Printed/Typed Name John Pratt				Signature				Month Day Year							
19. Discrepancy Indication Space															
20. Facility Owner or Operator Certification of receipt of hazardous materials covered by this manifest except as noted in Item 19.															
Printed/Typed Name Cleveland Valley				Signature				Month Day Year 10 11 7 9 1							

90544956
 IN CASE OF AN EMERGENCY OR SPILL, CALL THE NATIONAL RESPONSE CENTER 1-800-424-9802; WITHIN CALIFORNIA CALL 1-800-852-7550

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, Assistant Agency Director

May 1, 1992

STID 515

Better Homes Realty
5942 MacArthur Boulevard, Suite B
Oakland CA 94605
Attn: Lynn Worthington

RE: Former Exxon Station
3055-35th Av.
Oakland CA 94619

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

Dear Mr. Worthington,

The case file for the above referenced site has recently been reviewed by our staff. The case has been reassigned to Jennifer Eberle, Hazardous Materials Specialist. Please mail future correspondence to her attention.

We are in receipt of the Results for Preliminary Subsurface Site Investigation, prepared by Consolidated Technologies, under your cover letter. Please note that this report was not dated, and your cover letter was incorrectly dated 3/20/91 instead of 3/20/92. In addition, this report was not submitted **under seal** of a California-Registered Geologist, -Certified Engineering Geologist, or -Registered Civil Engineer.

Laboratory analyses provided in this report indicate significant concentrations of TPH as gasoline and BTEX in soils sampled. Specifically, up to 2100 ppm TPH-g, 56 ppm benzene, 100 ppm toluene, 38 ppm ethylbenzene, and 290 ppm xylenes were found.

Since high levels of contamination were found, a groundwater investigation must follow to ensure that the subsurface environment was not affected, as per RWQCB guidelines. In addition, soil contamination in excess of the detection limit for benzene (0.005 ppm) must be addressed.

Therefore, we request that you submit a proposal for a subsurface investigation **within 45 days, or by June 15, 1992**. The proposal must specify how you will delineate the vertical and lateral extent of soil contamination. The groundwater investigation must include a minimum of 3 exploratory wells to identify groundwater gradient. Once the gradient is determined, you must install one groundwater monitoring well within 10 feet downgradient of both UST excavations. Please specify the soil sampling frequency when boring for the monitoring wells, and also specify the analytes to be tested.

Lynn Worthington
STID #515
Page 2 of 2
May 1, 1992

All work must be performed according to the Leaking Underground Fuel Tank Field Manual, (LUFT Manual), revised 10/89, and the Tri-Regional Board Staff Recommendations for Preliminary Evaluation and Investigation of Underground Storage Tank Sites, revised 8/10/90, as summarized in Appendix A.

Copies of these documents can be obtained by calling the SFRWQCB data management group at 510-464-1269.

All reports and proposals must be submitted under seal of a California-Registered Geologist, -Certified Engineering Geologist, or -Registered Civil Engineer. All proposal, reports, and analytical results pertaining to this investigation and remediation must be sent to our office and to:

Rich Hiatt
RWQCB, San Francisco Bay Region
2101 Webster St., Suite 500
Oakland CA 94612

This report fulfills items 1) 2) and 3) of Paul Smith's letter to you dated 3/10/92. Item 4) still needs to be addressed; we have not received hazardous waste manifests for the removal of 5 USTs on 1/23/91. Please submit this information within 10 days or by May 11, 1992.

*received
6-16-92*

If you have any questions, please phone Jennifer Eberle at 510-271-4320.

Sincerely,

Susan L. Hugo

Susan Hugo
Senior Hazardous Materials Specialist

cc: Rich Hiatt, RWQCB
Tracy Bennett, (Consolidated Technologies, 1777 Saratoga Av.,
San Jose, CA 95129)
Gil Jensen, Alameda County District Attorney
Bernard Rose, Esq. (1800 Harrison St., Ste 1771, Oakland
CA 94612)

File

je

Lynn A. Worthington

REAL ESTATE BROKER

5942 MACARTHUR BLVD. #8
OAKLAND, CA 94605
TELEPHONE (415) 562-8600

92 MAR 10 11:01
Lynn called Lynn Worthington
and requested that a copy of the results
be sent to this office

March 17, 1992

Mr. Eddy So
Regional Water Quality Control Board
2101 Webster Street, 5th Floor
Oakland, California 94612

Dear Mr. So:

At the request of Mr. Paul Smith, of the Alameda County
Department of Environmental Health, please find enclosed the
information regarding the property at 3055 35th Avenue, Oakland.

Also, please make note that Mr. Bernard Rose, attorney at law,
at 1800 Harrison Street, Suite 1771, Oakland, California
94612 should receive copies of any future correspondence re-
garding this site. I have asked Mr. Rose to assist me in
this matter as I am unfamiliar with the requirements.

Sincerely,



Lynn A. Worthington

cc: ✓ Paul Smith - Alameda county
Tracy Bennett - Consolidated Technologies
Bernard Rose - Attorney at Law

LAW/rg

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, Assistant Agency Director

Certified Mailer #

March 10, 1992

Mr. Lynn Worthington
Better Homes Realty
5942 MacArthur Boulevard Suite B
Oakland, CA 94605

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

Re: Former Exxon Station, 3055 35th Avenue, Oakland, CA 94605

Dear Mr. Worthington,

On January 23, 1991 five underground storage tanks were removed from the above location. Soil samples were taken from the bottom of the tank excavations and also from the stockpiled soils. You reported to this office that the analytical results from the tank closure could not be submitted to this office due to a problem you had with either the tank removal contractor; Pacific Excavators or the sampling company; Sampling Specialist Company. Consequently, a Final Closure Report has not been received by this Department. The Tank Closure Report must include the following:

- 1) Analytical results of soil and water sampling ✓ (no water)
- 2) Copies of chain of custody forms ✓
- 3) A narrative of the tank closure process
- 4) Hazardous waste manifests

The tank closure report was due 60 days after the tank removal and is long since overdue.

Subsequently, in order to obtain data which was previously collected but unavailable, a subsurface investigation proposal was prepared by Consolidated Technologies and was reviewed and approved by this office. The work plan proposal consisted of the installation of ten borings around the former tank excavations and the collection of stockpile samples. The work plan was implemented on November 5, 1991. I have requested from you on several occasions a copy of the Soil Boring Report. This office has still not received the requested documentation.

You are hereby directed to submit a final closure report to this office within 10 days of the date of this letter. If results are not received by March 23, 1992 this case will be referred to the District Attorneys office for review and possible enforcement action.

Please be advised that this letter constitutes a formal request for technical reports pursuant to California Water Code Section 13267(b). Failure to respond or a late response could result in the

Mr. Worthington
March 10, 1992
Page 2 of 2

referral of this case to the RWQCB for enforcement, possibly subjecting the responsible party to civil penalties to a maximum of \$1,000 per day. Any extensions to the stated deadlines, or modifications of the required tasks, must be confirmed in writing by either this agency or the RWQCB.

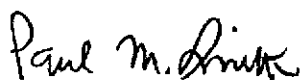
Please be further advised that Alameda County Environmental Health Department, Hazardous Materials Division, is currently delegated authority from the San Francisco Regional Water Quality Control Board (RWQCB) to oversee remediation cases within Alameda County. Therefore, this Department will be lead agency for oversight of this case should further site characterization or remediation work be warranted following our review of data incorporated in the pending tank closure report.

All proposals, reports and analytical results pertaining to this investigation and remediation must be sent to our office and to:

Eddy So
Regional Water Quality Control Board, San Francisco Bay Region
2101 Webster Street, 5th Floor
Oakland, California 94612
(510) 464-125

Should you have any questions pertaining to any of the above requests please contact me at (510) 271-4320.

Sincerely,



Paul M. Smith
Senior Hazardous Materials Specialist

cc:

Tracy Bennett, Consolidated Technologies
Eddy So, SFRWQCB
Charlene Williams, DHS
Gil Jensen, Alameda County District Attorney's Office of
Consumer and Environmental Affairs

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



September 16, 1991

Mr. Lynn Worthington
Better Homes Realty
5942 MacArthur Boulevard Suite B
Oakland, CA 94605

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

**Re: Work Plan Review for the Former Exxon Station, 3055 35th
Avenue, Oakland, CA 94605**

Dear Mr. Worthington,

On January 23, 1991 five underground storage tanks were removed from the above location. At that time, samples were taken from the bottom of the tank excavations and also from the stockpiled soils. However, a Final Closure Report documenting the results of soil sample analyses, providing copies of sample chain-of-custody forms and hazardous waste manifests, documenting the appropriate disposal of the underground tanks, among other elements, have not been received by this Department subsequent to the January 1991 tank removals.

On September 3, 1991 Alameda County Environmental Health Department, Hazardous Materials Division received a Work Plan submitted by Consolidated Technologies for the above site. The Work Plan proposes the installation of ten soil borings located around the locations of the former underground tanks and ancillary piping in order to collect initial data which following the tank removals had been collected but is unavailable.

The following issues regarding the Work Plan need to be addressed before the Plan approval is granted:

- 1) You are required to have your consultant specify how all of the stock piled soil located on site will be characterized. You are also required to specify the frequency of the sampling, soil compositing scheduling and constituents which will be analyzed for.
- 2) In addition to the analytes specified in the Work Plan you are required to analyze for the presence of Benzene, Toluene, Xylene and Ethyl-benzene (BTEX) in all analytical samples collected.
- 3) When borings are performed beneath all piping and dispensers it is not necessary to sample depths greater than 3 feet beneath these locations.
- 4) When sampling the area of the former (3) 4000 gallon and (1) 6000 gallon underground storage tanks you are required to collect a minimum of four samples or one sample per 20 lineal feet of open excavation. Additional samples are necessary in this area in order to more closely approximate the number of samples which are specified in the Regional Water Quality Document referred to as the Tri-Regional Recommendations (August 1990 revision).

Priority Class B

Lynn Worthington
September 16, 1991
page 2 of 2

5) When collecting samples from the proposed borings from the area of the former underground tank locations, you are requested to collect the first samples at 10 feet and also at 15 feet below the ground surface. These depths are thought to indicate a more representative tank bottom depth than the initial 5 to 7 foot depths specified in the proposed Work Plan.

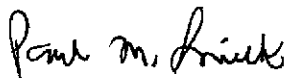
6) When sampling in the area of suspected illegal waste oil dumping at the location of SB-8 you are requested to excavate the soil in this area, which must be retained on site. Once field screening indicates the likelihood of a clean sample a confirmatory sample shall be collected in order to determine the soil condition.

7) You are required to have your consultant notify this department at least 48 hours prior to the initiation of the proposed work at the above location so that a representative from this office can be present during sample collection.

The proposed Work Plan as specified is not acceptable. You are requested to address each of the above issues in writing within 14 days of the receipt of this letter. Work plan approval will be granted upon the acknowledgment of these issues.

If you have any questions with regard to the contents of this letter you are requested to contact me at (510) 271-4320.

Sincerely,



Paul M. Smith
Hazardous Materials Specialist

cc:

Tracy Bennett, Consolidated Technologies
Eddie So, SFRWQCB
Charlene Williams, DHS
Gil Jensen, Alameda County District Attorney's Office of
Consumer and Environmental Affairs

Lynn Washington
workplan review 3055 35th Ave

10 soil borings 12' depth
2 samples from each boring, 1 water sample

analysis TPHg

SB 7 only TPHg, TPHd, TOG, BTX_E, ClHC, ICAp

Questions

what about stockpiled soil?

BTX_E on all samples

not to 12' on pipes + dispensers

take more samples at 1st pit

excavate waste oil soil + resample

(3) 4k + 16k

10' + next 5'

Lynn A. Worthington

REAL ESTATE BROKER

5942 MACARTHUR BLVD. #8
OAKLAND, CA 94605
TELEPHONE (415) 562-8600

August 21, 1991

Mr. Paul Smith
Alameda County Hazardous Materials
80 Swan Way, Room 200
Oakland, CA 94621

Dear Mr. Smith:

RE: 3055- 35th Avenue
Oakland, CA 94602

In response to your most recent letter to me, I have contracted with Consolidated Technologies to provide your department with the information you requested.

I believe you have spoken with Tracy Bennett regarding the closure plan that he has developed. If Mr. Bennett has not been in contact with you, please advise me immediately.

Sincerely,


Lynn A. Worthington

LAW/rg

Called Lynn Worthington
8/22/91 2:00 pm
Advised him that to date
this office still has not
received a work plan
He reported that he would
have Tracy Bennett send
the report to me

91 AUG 22 11:56

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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

FACSIMILE TRANSMITTAL

TO:

569-0505
Fax Phone Number

Floor/Room # _____

Name: Mark Thomson

Title/Section _____

Agency: Ala Co. DA's office

Address: _____

Phone #: () _____

FROM:

_____ Fax Phone Number

Floor/Room # _____

Date: 8/21/91

Time Sent: _____

Sender: P. Smith

Title/Section _____

Phone #: () 271-4320

Number of Pages Including Transmittal Sheet: 3

Special Instructions/Comments:

Mark,

When you get the chance please check out this letter for the statutory authority I cited. In this letter I've already asked the party for information previously without using the penalty clauses. In this next letter I want to use all of the appropriate ones I can. Maybe I should include the CA water Code 13267 too. Please let me know. Thanks Paul

4. We will review the Closure Plan within 30 days of plan receipt and contact you if there are deficiencies. Once the Plan is satisfactorily completed, we will stamp the plans and notify you. You may then pick up two copies of your stamped plan. We will retain the third copy for our files. **All notes written on the plans by the project Specialist are conditions of plan acceptance and must be followed.**
5. Present a copy of the stamped Closure Plan to the local fire department to obtain a permit. The local building department and the Bay Area Air Quality Management District (771-6000) should also be contacted concerning their permit requirements.
6. Our policy is to be present at all tank removals; contact the project Hazardous Materials Specialist at least three working days in advance to schedule the tank removal. If special arrangements are needed they must be worked out in advance with the project Hazardous Materials Specialist. All other permitting agencies' notification requirements must be met.
7. Have copies of all permits on site during the tank removal work.
8. Submit a Tank Closure Report to our office within 60 days of tank removal. The Closure Plan instructions outline the information and documents to be included in the Closure Report.

If sample analytical data or other evidence indicates the presence of any soil or groundwater contamination, you must file an Underground Storage Tank Unauthorized Release Report to this office within 5 working days of contamination discovery. Report forms are available in limited quantities from either this office or the San Francisco Bay Regional Water Quality Control Board in Oakland (415/464-1255). For large quantities of this form, contact the State Water Resources Control Board directly (916/739-2421).

If contamination is discovered, our office should be contacted for detailed directions. The following is an overview of our general clean up requirements. All site clean up work must be performed according to the Tri-Regional Board Staff Recommendations for Preliminary Evaluation and Investigation of Underground Tank Sites. Any clean up work done without our concurrence is unacceptable.

1. Determine the horizontal and vertical extent of soil contamination both on and off site.

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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

~~August 16, 1991~~

ATTN: Mr. Lynn Worthington

Better Homes Realty
5942 Mac Arthur Blvd., Suite B
Oakland, Ca 94605

RE: Project # 2089A - I
at 3055 - 35th Ave. in Oakland 94605

Dear Property Owner/Designee:

Our records indicate the deposit/refund account for the above project has fallen below the minimum deposit amount. To replenish the account, please submit an additional deposit of \$500.00, payable to Alameda County.

Please write your project number and site address on your check.

We must receive this deposit before we perform any further work on this project. At the completion of this project, any unused monies will be refunded to you or your designee.

If you have any questions, please contact Paul Smith
at (415) 271-4320.

Sincerely,

Edgar B. Howell III, Chief
Hazardous Materials Division

EH:lp

cc: files

*Mailed
8/20/91*

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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

Certified Mailer #P 367 604 324

~~August~~ 12, 1991

Mr. Lynn Worthington
Better Homes Realty
5942 MacArthur Boulevard Suite B
Oakland, CA 94605

Re: Former Exxon Station, 3055 35th Avenue, Oakland, CA 94605

Dear Mr. Worthington,

On January 23, 1991 five underground storage tanks were removed from the above location. Soil samples were taken from the bottom of the tank excavations and also from the stockpiled soils. A Final Closure Report documenting the results of soil sample analyses, copies of sample chain-of-custody forms and hazardous waste manifests, documenting the appropriate disposal of the underground tanks, among other elements, has not been received by this department. Such reports are due for submittal within 60 days of the date of tank closure.

You are hereby directed to submit a final closure report to this office within 10 days of the date of this letter.

Section 25299(a) of the CA Health and Safety Code states that "any operator of an underground storage tank system shall be liable for a civil penalty of not less than five hundred (\$500.00) or more than five thousand dollars (\$5000.00) for each underground storage tank for each day of violation for any of the following violations:

Failure to improperly properly close an underground tank system as required by Section 25298

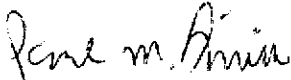
Failure to report an unauthorized release as required by Sections 25294 and 25295.

You are required by this office to submit a final closure report to this office within 10 days of the receipt of this letter. The tank closure plan shall include but should not be limited to: analytical results from beneath the former under ground tanks and taken from stock piled soils, manifests for the proper disposal of the tanks, and a map indicating the location of the samples. This case has been referred to the Alameda County District Attorney's Office for review. Failure to provide the requested information may result in enforcement action.

Mr. Worthington
August 11, 1991
Page 2 of 2

Should you have any questions pertaining to any of the above requests please contact me at 415/ 271-4320.

Sincerely,



Paul M. Smith
Hazardous Materials Specialist

cc:

John Pratt, Sampling Specialist Company
Pacific Excavators
Lester Feldman, SFRWQCB
Charlene Williams, DHS
Gil Jensen, Alameda County District Attorney's Office of
Consumer and Environmental Affairs

Complete items 1 and 2 when additional services are desired, ~~and complete items 3 and 4.~~

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. Show to whom delivered, date, and addressee's address. (Extra charge) 2. Restricted Delivery (Extra charge)

3. Article Addressed to: Mr. Lynn Worthington Better Homes Reality 5942 MacArthur Blvd., Ste B Oakland, CA 94605	4. Article Number P 367 604 324
Type of Service: <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise	
Always obtain signature of addressee or agent and DATE DELIVERED.	
5. Signature - Address X	8. Addressee's Address (ONLY if requested and fee paid)
6. Signature - Agent X <i>Paul M. Smith</i>	
7. Date of Delivery <i>8/14/91</i>	

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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

FACSIMILE TRANSMITTAL

TO:

_____ Floor/Room # _____
Fax Phone Number

Name: Mr Lynn Worthington _____
Title/Section

Agency: Better Homes Realty _____

Address: _____

Phone #: () _____

FROM:

_____ Floor/Room # _____
Fax Phone Number

Date: 7/3/91 _____ Time Sent: 5:45 _____

Sender: Paul Smith _____
Title/Section

Phone #: () 271-4320 _____

Number of Pages Including Transmittal Sheet: _____

Special Instructions/Comments:

Mr Worthington,

Enclosed is the sample page from the closure plan submitted
to this office by Mr Pratt.

If either you or the lab have question please call me

Paul

StID#	Name of Site	Site Address	Zip	Last Insp	#Empl	Sta
2766	Photo Corner	3015 -E Hopyard Rd.	566	11/27/89	2	C
3097	La Petite Photo	6654 Koll Center Pkwy.	566	07/23/90	1	C
2768	Pleasanton One-Hour	440 Main St.	566	11/27/89	3	C
3098	Family Cleaners	618 -A Main St.	566	07/23/90	2	C
2372	Main St. Chevron	780 Main St.	566	05/10/90	4	C
1848	Santa Rita Auto Wrec	3908 Old Santa Rita Rd	566	10/23/90	9	C
2952	Metal Tech Mfg., Inc	2110 Rheem Dr.	566	05/10/90	20	C
2951	National Elevator Co	2158 Rheem Dr.	566	05/10/90	12	C
2689	Tom's Backhoe	1500 Rose Ave.	566	11/02/89	6	C
1978	Amador Valley High S	1155 Santa Rita Rd.	566	11/30/89	4	C
2411	Pleasanton Auto Cent	1809 -B Santa Rita Rd.	566	09/12/90	1	C
2770	Ed Turman & Co., Inc	1051 Serpentine Lane #	566	11/07/89	30	C
1925	Ry-Nck Tire And Brak	3420 Stanley Blvd.	566	03/28/90	5	C
1926	Stop & Go Independan	3440 -A Stanley Blvd.	566	02/15/90	2	C
1922	Awesome Automotive	3440 -I Stanley Blvd.	566	02/15/90	1	C
2839	Expressly Portraits	1388 Stoneridge Mall	566	02/26/90	5	C
2838	Express Photo	2351 Stoneridge Mall	566	02/26/90	4	C
2958	Utility Vault Compan	3786 Valley Ave.	566	05/09/90	30	C
2975	PIP Printing	7992 Amador Valley Blv	568	07/24/90	2	C
1216	American Building Co	6253 Dougherty Rd.	568	10/17/89	25	C
2095	Karaman Service Ctr.	6400 Dublin Blvd.	568	02/27/90	1	C
2772	Photo Magic	6605 Dublin Blvd.	568	11/27/89	2	C
3131	Park Avenue Cleaners	7102 -B Dublin Blvd.	568	09/14/90	6	C
2787	Presto Prints	7112 Dublin Blvd.	568	12/06/89	3	C
1939	Unocal SS #5901	11976 Dublin Blvd.	568	10/01/90	8	C
3130	AAA Auto Wholesalers	6419 Golden Gate Dr.	568	09/17/90	3	C
2573	SmithKline Bio-Scien	6511 Golden Gate Dr.	568	11/07/89	82	C
2224	American City Tire S	6310 Houston Pl.	568	10/15/90	9	I
1940	Rich's Chevron Servi	7007 San Ramon Rd.	568	03/16/90	6	C
2865	Dublin Iceland	7212 San Ramon Rd.	568	03/09/90	10	C
3128	Scotsman Group	6055 Scarlett Ct.	568	09/24/90	9	C
1366	Lew Doty	6301 Scarlett Ct.	568	01/24/90	18	C
697	Dublin Multilayer, I	6341 Scarlett Ct.	568	03/21/90	19	C
633	Neo Tech Spring Corp	6349 Scarlett Ct.	568	11/30/89	5	C
2970	Baker's Classic Cars	6379 Scarlett Ct.	568	05/10/90	1	C
2969	Thorn Welding	6389 Scarlett Ct.	568	05/11/90	4	C
3079	DataCorp.	6711 -D Sierra Ct.	568	07/20/90	20	C
2539	H.J. Banister Printi	6723 -C Sierra Ct.	568	08/27/90	6	C
3106	NESLAB Instruments,	6747 -F Sierra Ct.	568	08/21/90	4	C
3107	Color Media	6747 -G Sierra Ct.	568	08/13/90	8	C
2917	Prototek, Inc.	6747 Sierra Ct.	568	04/13/90	15	C
3122	Hill Refrigeration	6761 -C Sierra Ct.	568	08/30/90	25	C
2836	Zendex Corporation	6780 -A Sierra Ct.	568	02/27/90	4	C
2837	Federal Sign	6805 -A Sierra Ct.	568	02/23/90	70	C
1958	Home Savings of Amer	6955 Sierra Ct.	568	12/06/89	3	I
2909	Custom Distributors,	6968 Sierra Ct.	568	04/09/90	6	C
2910	Ron Nunes Enterprise	6971 Sierra Ct.	568	04/09/90	12	C
3121	RG Distributor	6978 Sierra Ct.	568	08/30/90	8	C
2916	Electro Painters, In	6517 Sierra Lane	568	04/13/90	4	C
3076	Pat Patterson Associ	6521 Sierra Lane	568	07/11/90	6	C
3039	So Unique Painting &	6529 Sierra Lane	568	06/28/90	15	C
3083	Car Polishing System	6681 Sierra Lane	568	07/30/90	5	C
3108	Label Concepts, Inc.	6700 Sierra Lane	568	08/13/90	16	C

STATUS: C = Current

I = Inactive

Q = need Q'naire

**Better
Homes
Realty**

®

Each office is independently owned
& operated

~~June 25,~~ 1991

Mr. Paul Smith
Alameda County-Health Care Services
80 Swan Way, Room #200
Oakland, CA 94621

Dear Mr. Smith;

Thank you for meeting with me a couple of weeks ago regarding the removal of the storage tanks at my property, 3055- 35th Ave., Oakland.

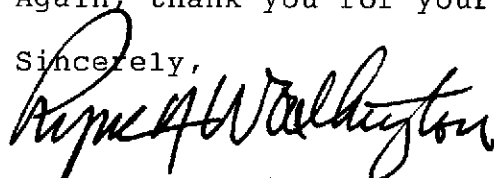
I appreciate your cooperation under the circumstances that I have been left with due to the failure of Mr. Pratt to complete his agreement. As you know by now, I am obtaining bids from other contractors who can complete the work to your satisfaction.

If you have an opportunity, please look into who obtained the permit from your office to do the tank removal at 5200 Telegraph Ave., Oakland. I believe that John Pratt did the work at that site and it would be helpful to me if you could advise if your records reflect his involvement.

If you have a few moments, please give me a call as I would like to arrange an appointment with you to bring you up to date.

Again, thank you for your cooperation.

Sincerely,



Lynn A. Worthington

LAW/rg

91 JUN 27 PM 4:13

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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

Certified Mailer # P 062 127 780

30, 1991

Mr. Lynn Worthington
Better Homes Realty
5942 MacArthur Boulevard Suite B
Oakland, CA 94605

Re: Former Exxon Station, 3055 35th Avenue, Oakland, CA 94605

Dear Mr. Worthington,

On January 23, 1991 five underground storage tanks were removed from the above location. Soil samples were taken from the bottom of the tank excavations and also from the stockpiled soils. A Final Closure Report documenting the results of soil sample analyses, copies of sample chain-of-custody forms and hazardous waste manifests, documenting the appropriate disposal of the underground tanks, among other elements, has not been received by this department. Such reports are due for submittal within 60 days of the date of tank closure.

You are hereby directed to submit a final closure report to this office within 15 days of the date of this letter, or by June 14, 1991.

Please be advised that this letter constitutes a formal request for technical reports pursuant to California Water Code Section 13267(b). Failure to respond or a late response could result in the referral of this case to the RWQCB for enforcement, possibly subjecting the responsible party to civil penalties to a maximum of \$1,000 per day. Any extensions to the stated deadlines, or modifications of the required tasks, must be confirmed in writing by either this agency or the RWQCB.

Please be further advised that Alameda County Environmental Health Department, Hazardous Materials Division, is currently delegated authority from the San Francisco Regional Water Quality Control Board (RWQCB) to oversee remediation cases within Alameda County. Therefore, this Department will be lead agency for oversight of this case should further site characterization or remediation work be warranted following our review of data incorporated in the pending tank closure report.

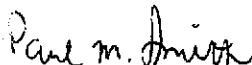
Mr. Worthington
May 30, 1991
Page 2 of 2

All proposals, reports and analytical results pertaining to this investigation and remediation must be sent to our office and to:

Lester Feldman
Regional Water Quality Control Board, San Francisco Bay Region
2101 Webster Street, 5 th Floor
Oakland, California 94612
(415) 464-125

Should you have any questions pertaining to any of the above requests please contact me at 415/ 271-4320.

Sincerely,



Paul M. Smith
Hazardous Materials Specialist

cc:

John Pratt, Sampling Specialist Company
Pacific Excavators
Lester Feldman, SFRWQCB
Charlene Williams, DHS
Gil Jensen, Alameda County District Attorney's Office of
Consumer and Environmental Affairs
Rafat A. Shahid, Assistant Agency Director, Alameda County
Environmental Health Department

P 062 127 780

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

(See Reverse)

Sent to Better Homes	
Street and No. 5942 MacArthur	
P.O. State and ZIP Code Oakland 94605	
Postage	\$
Certif. Fee	
Spec. Del. Serv. Fee	
Restr. Del. Serv. Fee	
Return Receipt (allowing for return and add'l. charges)	
Other Fees (allowing to addn. date and address of delivery)	
TOTAL Postage and Fees	\$
Postmark or Date 5/31/91	

PS Form 3800, June 1985

COMPLAINT FORM

DATE: 3/13/91

TIME: 3:05

COMPLAINT RECEIVED BY: E. O'Brien

ADDRESS OF INCIDENT: 35th & School St.
Oakland, Ca.

NAME OF FACILITY: _____

CONTACT PERSON: Paul -

FACILITY PHONE NUMBER: See me

SUBJECT OF COMPLAINT: Signature

former gas station -
Tank pulled, - yard
fenced off w/ chain link
BUT KIDSD STILL GETTING IN YARD.

NAME OF COMPLAINANT: _____ PHONE: _____

ACTIONS TAKEN AND DATE(S)

Floyds Repair / Appliances
need to write letter

Date investigation was completed: _____

Date complainant contacted: _____

Name of Specialist: _____

Signature: _____

Applied Time: _____

From Sample Spec Truck

Lic # 91-1348

Pacific Excavators -
Sampling Specialists
Pratt Consulting Co

605503

State Consumer Services Agency
State Licence Bd

John Wong (415) 464-4300

(078421
number used on
Lynn Worthington

white -env.health
 yellow -facility
 pink -files

ALAMEDA COUNTY, DEPARTMENT OF ENVIRONMENTAL HEALTH

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

Hazardous Materials Division Inspection Form

Site ID# _____ Site Name Former Exxon Today's Date 11/1/88
 Site Address 3055 35th Ave EPA ID# _____
 City Oakland Zip 94605 Phone _____

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

Inspection Categories:

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

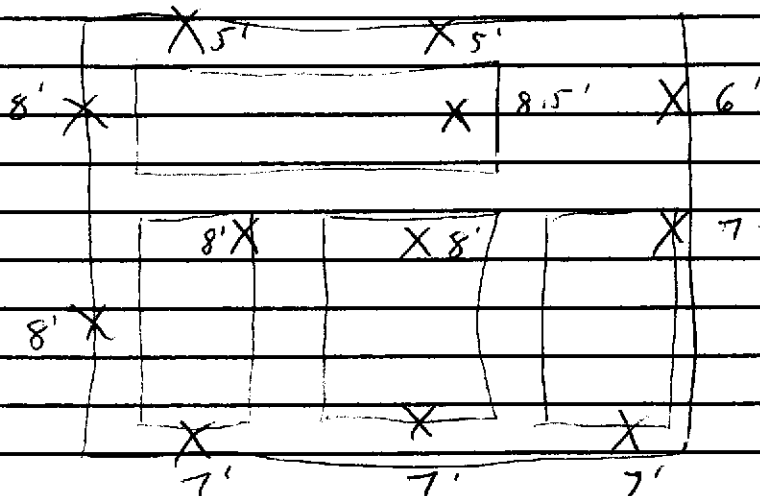
The marked items represent violations of the Calif. Administration Code (CAC) or the Health & Safety Code (HS&C)

I.A. GENERATOR (Title 22)

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

Comments:

observed sample collection



I.B. TRANSPORTER (Title 22)

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

waste oil pit cleared out and a sample collected at a depth of $\approx 3'$

Contact: _____

Title: _____

Signature: _____

Inspector: _____

Signature: *[Signature]*

white -env.health
 yellow -facility
 pink -files

ALAMEDA COUNTY, DEPARTMENT OF ENVIRONMENTAL HEALTH

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

Hazardous Materials Division Inspection Form

Site ID# _____ Site Name Furnace Exxon Today's Date 1/27/88
 Site Address 3055 35th Ave EPA ID# _____
 City Oakland Zip 94602 Phone _____

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

Inspection Categories:

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

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

LA GENERATOR (Title 22)

- | | | |
|-------------------|---------------------------------|---------|
| ___ | 1. Waste ID | * 66471 |
| ___ | 2. EPA ID | 66472 |
| ___ | 3. > 90 days | 66508 |
| ___ | 4. Label dates | 66508 |
| ___ | 5. Biennial | 66493 |
| <hr/> | | |
| Manifest | ___ 6. Records | 66492 |
| | ___ 7. Correct | 66484 |
| | ___ 8. Copy sent | 66492 |
| | ___ 9. Exception | 66484 |
| | ___ 10. Copies Rec'd | 66492 |
| <hr/> | | |
| Misc. | ___ 11. Treatment | 66371 |
| | ___ 12. On-site Disp. (H.S.&C.) | 26189.5 |
| | ___ 13. Ex Haz. Waste | 66570 |
| <hr/> | | |
| Prevention | ___ 14. Communications | 67121 |
| | ___ 15. Aisle Space | 67124 |
| | ___ 16. Local Authority | 67125 |
| | ___ 17. Maintenance | 67120 |
| | ___ 18. Training | 67105 |
| <hr/> | | |
| Contn. gency | ___ 19. Prepared | 67140 |
| | ___ 20. Name List | 67141 |
| | ___ 21. Copies | 67141 |
| | ___ 22. Emg. Coord. Trng. | 67144 |
| <hr/> | | |
| Containers, Tanks | ___ 23. Condition | 67241 |
| | ___ 24. Compatibility | 67242 |
| | ___ 25. Maintenance | 67243 |
| | ___ 26. Inspection | 67244 |
| | ___ 27. Buffer Zone | 67246 |
| | ___ 28. Tank Inspection | 67259 |
| | ___ 29. Containment | 67245 |
| | ___ 30. Safe Storage | 67261 |
| | ___ 31. Freeboard | 67257 |

Comments:

Observed secondary collection

most underground tanks not marked as secondary collection at a depth of $\approx 3'$

LB TRANSPORTER (Title 22)

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

Contact: _____

Title: _____

Signature: _____

Inspector: _____

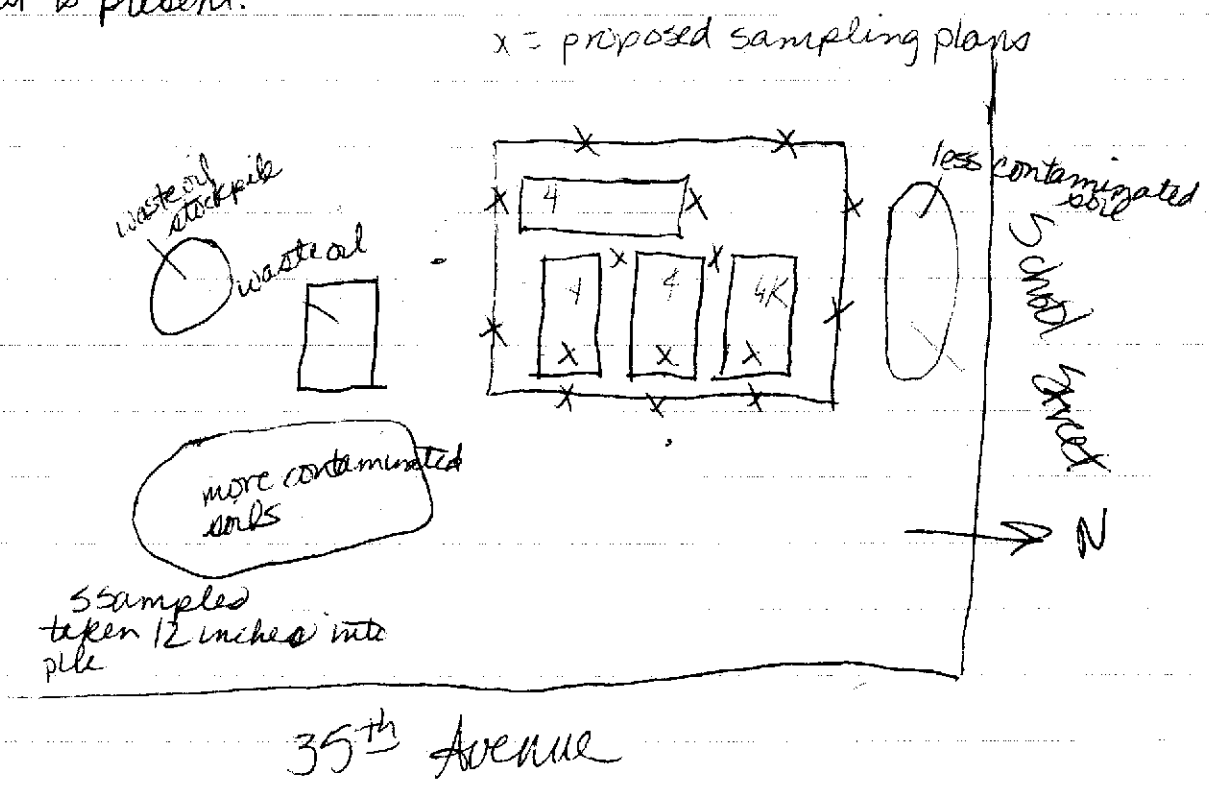
Signature: [Signature]

~~11/9/91~~ 3055 35th Avenue

11:15 arrived on-site. Tanks have been exposed, but Fire Department isn't present, and H+H just left China Basin. 3 4K and 1 6K tank; all contained gasoline.

Waste oil tank is a 300 gallon tank; tank contents will be drummed, tank will be steam cleaned and disposed of by H+H, and they will also dispose of the drums.

Piping - one sample in the middle of each run, at the elbow and at the end. (Piping runs in an "L")
Tanks are single walled steel tanks; piping was fiberglass and coating has been worn off.
Odor is present.



Left site at 12:30

3:30 Returned to site. 2 tanks were loaded and ready to go, but the other 2 were too hot (LEL levels around 50% to 95%)

Told John Pratt to contact me in the a.m. regarding sampling schedule. Left site at 4:45

1/18/91

Talked to John Pratt - the tanks were removed this morning. The waste oil tank has been ~~removed~~ taken out of the hole and put on plastic. John is going to excavate the waste oil pit, as he stated that there was a good amount of sludge in the pit. I told him not to clean up the gasoline tank hole until Dennis is present to ~~perform~~ perform sampling, which is to take place 1/22 at 9:00.

UNDERGROUND STORAGE TANK UNAUTHORIZED RELEASE (LEAK) / CONTAMINATION SITE REPORT

EMERGENCY <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		HAS STATE OFFICE OF EMERGENCY SERVICES REPORT BEEN FILED? <input type="checkbox"/> YES <input type="checkbox"/> NO		FOR LOCAL AGENCY USE ONLY I HEREBY CERTIFY THAT I HAVE DISTRIBUTED THIS INFORMATION ACCORDING TO THE DISTRIBUTION SHOWN ON THE INSTRUCTION SHEET ON THE BACK PAGE OF THIS FORM. <i>Paul M. Smith</i> SIGNED: _____	
REPORT DATE 01/22/91		CASE #			
REPORTED BY	NAME OF INDIVIDUAL FILING REPORT Paul Smith		PHONE (415) 271-4320		SIGNATURE
	REPRESENTING <input checked="" type="checkbox"/> LOCAL AGENCY <input type="checkbox"/> OWNER/OPERATOR <input type="checkbox"/> REGIONAL BOARD <input type="checkbox"/> OTHER		COMPANY OR AGENCY NAME Alameda County Hazardous Materials		
	ADDRESS 80 Swan Way Room 200, Oakland, CA 94621				
RESPONSIBLE PARTY	NAME Better Homes Realty		CONTACT PERSON Lynn Worthington		PHONE (415) 562-8600
	ADDRESS 5942 MacArthur Blvd, Oakland, CA 94605				
SITE LOCATION	FACILITY NAME (IF APPLICABLE)		OPERATOR		PHONE ()
	ADDRESS 3055 35th Avenue, Oakland, CA Alameda 94605				
	CROSS STREET School Street				
IMPLEMENTING AGENCIES	LOCAL AGENCY Alameda County Hazardous Materials		CONTACT PERSON Paul Smith		PHONE (415) 271-4320
	REGIONAL BOARD San Francisco Bay		Lester Feldman		PHONE (415) 264-1255
SUBSTANCES INVOLVED	(1) NAME Gasoline		QUANTITY LOST (GALLONS) <input checked="" type="checkbox"/> UNKNOWN		
	(2)		<input type="checkbox"/> UNKNOWN		
DISCOVERY/ABATEMENT	DATE DISCOVERED 01/17/91		HOW DISCOVERED <input type="checkbox"/> INVENTORY CONTROL <input type="checkbox"/> SUBSURFACE MONITORING <input type="checkbox"/> NUISANCE CONDITIONS <input type="checkbox"/> TANK TEST <input checked="" type="checkbox"/> TANK REMOVAL <input type="checkbox"/> OTHER		
	DATE DISCHARGE BEGAN ____/____/____		METHOD USED TO STOP DISCHARGE (CHECK ALL THAT APPLY) <input type="checkbox"/> REMOVE CONTENTS <input checked="" type="checkbox"/> CLOSE TANK & REMOVE <input type="checkbox"/> REPAIR PIPING <input type="checkbox"/> REPAIR TANK <input type="checkbox"/> CLOSE TANK & FILL IN PLACE <input type="checkbox"/> CHANGE PROCEDURE <input type="checkbox"/> REPLACE TANK <input type="checkbox"/> OTHER		
	HAS DISCHARGE BEEN STOPPED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF YES, DATE 01/17/91				
SOURCE/CAUSE	SOURCE OF DISCHARGE <input type="checkbox"/> TANK LEAK <input checked="" type="checkbox"/> UNKNOWN <input type="checkbox"/> PIPING LEAK <input type="checkbox"/> OTHER		CAUSE(S) <input type="checkbox"/> OVERFILL <input type="checkbox"/> RUPTURE/FAILURE <input type="checkbox"/> SPILL <input type="checkbox"/> CORROSION <input type="checkbox"/> UNKNOWN <input type="checkbox"/> OTHER		
	CASE TYPE CHECK ONE ONLY <input checked="" type="checkbox"/> UNDETERMINED <input type="checkbox"/> SOIL ONLY <input type="checkbox"/> GROUNDWATER <input type="checkbox"/> DRINKING WATER - (CHECK ONLY IF WATER WELLS HAVE ACTUALLY BEEN AFFECTED)				
CURRENT STATUS	CHECK ONE ONLY <input checked="" type="checkbox"/> NO ACTION TAKEN <input type="checkbox"/> PRELIMINARY SITE ASSESSMENT WORKPLAN SUBMITTED <input type="checkbox"/> POLLUTION CHARACTERIZATION <input type="checkbox"/> LEAK BEING CONFIRMED <input type="checkbox"/> PRELIMINARY SITE ASSESSMENT UNDERWAY <input type="checkbox"/> POST CLEANUP MONITORING IN PROGRESS <input type="checkbox"/> REMEDIATION PLAN <input type="checkbox"/> CASE CLOSED (CLEANUP COMPLETED OR UNNECESSARY) <input type="checkbox"/> CLEANUP UNDERWAY				
	REMEDIAL ACTION CHECK APPROPRIATE ACTION(S) (SEE BACK FOR DETAILS) <input type="checkbox"/> CAP SITE (CD) <input type="checkbox"/> EXCAVATE & DISPOSE (ED) <input type="checkbox"/> REMOVE FREE PRODUCT (FP) <input type="checkbox"/> ENHANCED BIO DEGRADATION (IT) <input type="checkbox"/> CONTAINMENT BARRIER (CB) <input type="checkbox"/> EXCAVATE & TREAT (ET) <input type="checkbox"/> PUMP & TREAT GROUNDWATER (GT) <input type="checkbox"/> REPLACE SUPPLY (RS) <input type="checkbox"/> VACUUM EXTRACT (VE) <input type="checkbox"/> NO ACTION REQUIRED (NA) <input type="checkbox"/> TREATMENT AT HOOKUP (HU) <input type="checkbox"/> VENT SOIL (VS) <input type="checkbox"/> OTHER (OT)				
COMMENTS	RP HAS NOT PROVIDED OUR OFFICE WITH REMOVAL REPORT. Specialist at the site during sampling noted contamination. To date, no information has been provided on the amount and extent of contamination.				

INSTRUCTIONS

EMERGENCY

Indicate whether emergency response personnel and equipment were involved at any time. If so, a Hazardous Material Incident Report should be filed with the State Office of Emergency Services (OES) at 2800 Meadowview Road, Sacramento, CA 95832. Copies of the OES report form may be obtained at your local underground storage tank permitting agency. Indicate whether the OES report has been filed as of the date of this report.

LOCAL AGENCY ONLY

To avoid duplicate notification pursuant to Health and Safety code Section 25180.5, a government employee should sign and date the form in this block. A signature here does not mean that the leak has been determined to pose a significant threat to human health or safety, only that notification procedures have been followed if required.

REPORTED BY

Enter your name, telephone number, and address. Indicate which party you represent and provide company or agency name.

RESPONSIBLE PARTY

Enter name, telephone number, contact person, and address of the party responsible for the leak. The responsible party would normally be the tank owner.

SITE LOCATION

Enter information regarding the tank facility. At a minimum, you must provide the facility name and full address.

IMPLEMENTING AGENCIES

Enter names of the local agency and Regional Water Quality Control Board involved.

SUBSTANCES INVOLVED

Enter the name and quantity lost of the hazardous substance involved. Room is provided for information on two substances if appropriate. If more than two substances leaked, list the two of most concern for cleanup.

DISCOVERY/ABATEMENT

Provide information regarding the discovery and abatement of the leak.

SOURCE/CAUSE

Indicate source(s) of leak. Check box(es) indicating cause of leak.

CASE TYPE

Indicate the case type category for this leak. Check one box only. Case type is based on the most sensitive resource affected. For example, if both soil and ground water have been affected, case type will be "Ground Water". Indicate "Drinking Water" only if one or more municipal or domestic water wells have actually been affected. A "Ground Water" designation does not imply that the affected water cannot be, or is not, used for drinking water, but only that water wells have not yet been affected. It is understood that case type may change upon further investigation.

CURRENT STATUS

Indicate the category which best describes the current status of the case. Check one box only. The response should be relative to the case type. For example, if case type is "Ground Water", then "Current Status" should refer to the status of the ground water investigation or cleanup, as opposed to that of soil. Descriptions of options follow:

No Action Taken - No action has been taken by responsible party beyond initial report of leak.

Leak Being Confirmed - Leak suspected at site, but has not been confirmed.
Preliminary Site Assessment Workplan Submitted - workplan/proposal requested of/submitted by responsible party to determine whether ground water has been, or will be, impacted as a result of the release.
Preliminary Site Assessment Underway - implementation of workplan.
Pollution Characterization - responsible party is in the process of fully defining the extent of contamination in soil and ground water and assessing impacts on surface and/or ground water.
Remediation Plan - remediation plan submitted evaluating long term remediation options. Proposal and implementation schedule for appropriate remediation options also submitted.
Cleanup Underway - implementation of remediation plan.
Post Cleanup Monitoring in Progress - periodic ground water or other monitoring at site, as necessary, to verify and/or evaluate effectiveness of remedial activities.
Case Closed - regional board and local agency in concurrence that no further work is necessary at the site.

IMPORTANT: THE INFORMATION PROVIDED ON THIS FORM IS INTENDED FOR GENERAL STATISTICAL PURPOSES ONLY AND IS NOT TO BE CONSTRUED AS REPRESENTING THE OFFICIAL POSITION OF ANY GOVERNMENTAL AGENCY

REMEDIAL ACTION

Indicate which action have been used to cleanup or remediate the leak. Descriptions of options follow:

Cap Site - install horizontal impermeable layer to reduce rainfall infiltration.
Containment Barrier - install vertical dike to block horizontal movement of contaminant.
Excavate and Dispose - remove contaminated soil and dispose in approved site.
Excavate and Treat - remove contaminated soil and treat (includes spreading or land farming).
Remove Free Product - remove floating product from water table.
Pump and Treat Groundwater - generally employed to remove dissolved contaminants.
Enhanced Biodegradation - use of any available technology to promote bacterial decomposition of contaminants.
Replace Supply - provide alternative water supply to affected parties.
Treatment at Hookup - install water treatment devices at each dwelling or other place of use.
Vacuum Extract - use pumps or blowers to draw air through soil.
Vent Soil - bore holes in soil to allow volatilization of contaminants.
No Action Required - incident is minor, requiring no remedial action.

COMMENTS - Use this space to elaborate on any aspects of the incident.

SIGNATURE - Sign the form in the space provided.

DESCRIPTION

If the form is completed by the tank owner or his agent, retain the last copy and forward the remaining copies intact to your local tank permitting agency for distribution.

1. Original - Local Tank Permitting Agency
2. State Water Resources Control Board, Division of Clean Water Programs, Underground Storage Tank Program, P.O. Box 944212, Sacramento, CA 94244-2120
3. Regional Water Quality Control Board
4. Local Health Officer and County Board of Supervisors or their designee to receive Proposition 65 notifications.
5. Owner/responsible party.

ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY
 DEPARTMENT OF ENVIRONMENTAL HEALTH
 HAZARDOUS MATERIALS DIVISION
 80 SWAN WAY, ROOM 200
 OAKLAND, CA 94621
 PHONE NO. 415/271-4320

ACCEPTED
 DEPARTMENT OF ENVIRONMENTAL HEALTH
 415/271-4320
 11/22/90

These plans have been reviewed and found to be acceptable and comply with the requirements of State and local health laws. Changes to these plans must be approved by this Department prior to construction. State and local Department approval does not constitute approval for issuance of any permits or other regulatory actions.

On or after 2/1/91, the contractor shall submit to the Department in all instances a copy of all plans involved with the removal.

Any contractor or other person who violates these provisions must be notified of the violation and the contractor must be notified of the violation. The contractor must be notified of the violation if the contractor is found to be in violation of these provisions. The contractor must be notified of the violation if the contractor is found to be in violation of these provisions.

Notice is hereby given that the Department of Environmental Health and Engineering is hereby notified of the violation.

C. Chapman
 11/22/90
 instructions in red ink are to be followed

0577089
 \$1,116⁰⁰
 10/22/90

UNDERGROUND TANK CLOSURE/MODIFICATION PLANS

1. Business Name EXXON (OLD EXXON STATION)
 Business Owner BETTER HOMES REALTY
2. Site Address 3055 35th AVENUE
 city OAKLAND, CA Zip 94605 Phone —
3. Mailing Address 5942 MACARTHUR BOULEVARD SUITE-B
 city OAKLAND, CA Zip 94605 Phone 415-562-8600
4. Land Owner BETTER HOMES REALTY
 Address 5942 MACARTHUR city, State OAKLAND, CA zip 94605
5. EPA I.D. No. CAC 000253305
6. Contractor PACIFIC EXCAVATORS
 Address 435 EAGLE NEST COURT
 city MARTINEZ, CA 94553 Phone 415-372-4155
 License Type GEN. - A ENQ. ID# (will forward) 605503
7. Consultant SAMPLING SPECIALIST COMPANY
 Address 3146 MANOR AVENUE
 city WALNUT CREEK, CA 94596 Phone 414-932-4356

John Browne 10/26/90
 PO Box 7196
 Auburn, 95604
 916 552 4078

8. Contact Person for Investigation

Name JOHN PRATT Title OWNER SSC
Phone 415-932-4356

9. Total No. of Tanks at facility 5

10. Have permit applications for all tanks been submitted to this office?
Yes [] No []

11. State Registered Hazardous Waste Transporters/Facilities

ask for I.D. number

a) Product/Waste Transporter

CAD 004771168

Name HH ENVIRONMENTAL EPA I.D. No. will forward
Address 220 CHINA BASIN
City SAN FRANCISCO State CA Zip 94107

b) Rinsate Transporter

Name _____ EPA I.D. No. _____
Address _____
City _____ State _____ Zip _____

c) Tank Transporter

Name _____ EPA I.D. No. _____
Address _____
City _____ State _____ Zip _____

d) Tank Disposal Site

Name _____ EPA I.D. No. _____
Address _____
City _____ State _____ Zip _____

e) Contaminated Soil Transporter

Name _____ EPA I.D. No. _____
Address _____
City _____ State _____ Zip _____

12. Sample Collector

Name

JOHN PRATT

Company

SAMPLING SPECIALISTS

Address

3146 MANOR AVE.
WALNUT CREEK, CA 94596

City

State

Zip

Phone

415-932-4356

13. Sampling Information for each tank or area

Tank or Area		Material sampled	Location & Depth
Capacity	Historic Contents (past 5 years)		
6000	UN GAS	SOIL ↓	EACH END
6000	UN GAS		EACH END
4000	SUP GAS		EACH END
4000	REG GAS		EACH END
500	WASTE OIL		ONE FULL END
Pipeline sampling per 20 feet			

water to be sampled if present

Stockpiled soil sampling

14. Have tanks or pipes leaked in the past? Yes [] No

If yes, describe. PER TANK TESTS PERFORMED IN PAST.

15. NFPA methods used for rendering tank inert? Yes No []

If yes, describe. Dry ICE TRIPLE RINSE

Check with Oakland Fire for LEL and O2 levels
Contractor responsible for equipment that reads LEL & O2 info
An explosion proof combustible gas meter shall be used to verify tank inertness.

16. Laboratories

Name CHROMALAB, INC.

Address 2239 OMEGA ROAD

City SAN RAMON State CA zip 94583

State Certification No. 8312 238

17. Chemical Methods to be used for Analyzing Samples

Contaminant Sought	EPA, DHS, or Other Sample Preparation Method Number	EPA, DHS, or Other Analysis Number
GAS	TPH gas - mod. 5030 BTX+E 8020 or 8240	TPH GAS w/ BTX 6002/8020/8015
WASTE OIL LEAD	TPH-G mod 5030 TPH-D mod. 3550 OTG. 5520 D+F BTX+E 8020 or 8240 Chlorinated hydrocarbons 8010 or 8240 ICAP or AA to detect Cd, Cr, Pb, Zn, Ni	503 (O&E) TOG 7420/7421/239.2

18. Submit Site Safety Plan

19. Workman's Compensation: Yes No

Copy of Certificate enclosed? Yes No

Name of Insurer RETNA CASUALTY & SURETY

20. Plot Plan submitted? Yes No

21. Deposit enclosed? Yes No

22. Please forward to this office the following information within 60 days after receipt of sample results.

- a) Chain of Custody Sheets
- b) Original Signed Laboratory Reports
- c) TSD to Generator copies of wastes shipped and received
- d) Attachment A summarizing laboratory results

I declare that to the best of my knowledge and belief the statements and information provided above are correct and true. I understand that information in addition to that provided above may be needed in order to obtain an approval from the Department of Environmental Health and that no work is to begin on this project until this plan is approved.

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

I understand that all work performed during this project will be done in compliance with all applicable OSHA (Occupational Safety and Health Administration) requirements concerning personnel and safety.

I will notify the Department of Environmental Health at least two (2) working days (48 hours) after approval of this closure plan in advance to schedule any required inspections. I understand that site and worker safety are solely the responsibility of the property owner or his agent and that this responsibility is not shared nor assumed by the County of Alameda.

Signature of Contractor

Name (please type)

MR. JOHN T. PRATT

Signature

Date

5-25-90

Signature of Site Owner or Operator

Name (please type)

MR. LYNN WORTHINGTON

Signature

Date

6-25-90

SAMPLING SPECIALISTS COMPANY
INDEPENDENT THIRD PARTY SAMPLING & ANALYSIS
COMPLETE WELL DEVELOPMENT SERVICES

**ENVIRONMENTAL SAMPLE
COLLECTION SPECIALISTS**
AIR, LIQUID AND SOLID SAMPLING

COMPLETE BAILING, PURGING AND SAMPLING SERVICE FOR
MONITORING, RECOVERY AND VADOSE WELLS IN THE FOLLOWING STATES:
CALIFORNIA, NEVADA, OREGON, WASHINGTON, ARIZONA, IDAHO AND UTAH

Office Locations
3146 Manor Avenue
Walnut Creek, California 94596

12003 49th Street North
Building 307
Clearwater, Florida 34622

1-(415)-932-4356 Office
1-(415)-932-4256 Fax

MINIMUM SITE SAFETY PLAN

COMPANY NAME: Better Homes & Realty
SITE NAME: Old Exxon Station
SITE ADDRESS: 3055 35th Avenue / Oakland, California
JOB #: 1019-004-001.005 DATE: 10-14-90

SITE INFORMATION

INDUSTRY TYPE: Distributor
SUSPECTED
CONTAMINANT: Gasoline / Waste Oil

SAMPLING SPECIALISTS COMPANY
SCOPE OF WORK: Removal Of Underground Tanks.

EMERGENCY CONTACTS POLICE AND/OR FIRE CALL 911

SITE MANAGER: Lynn Worthington PHONE: 1-415-562-8600
PROJECT MANAGER: John Pratt PHONE: 1-415-932-4356
H&S OFFICER: John Pratt PHONE: 1-415-932-4356
CLIENT CONTACT: Lynn Worthington PHONE: 1-415-562-8600
REGULATOR: PHONE
HOSPITAL: Highland / Providence PHONE: 1-415-534-8055

POISON: (415)-476-2845 EPA: (800)-424-8802

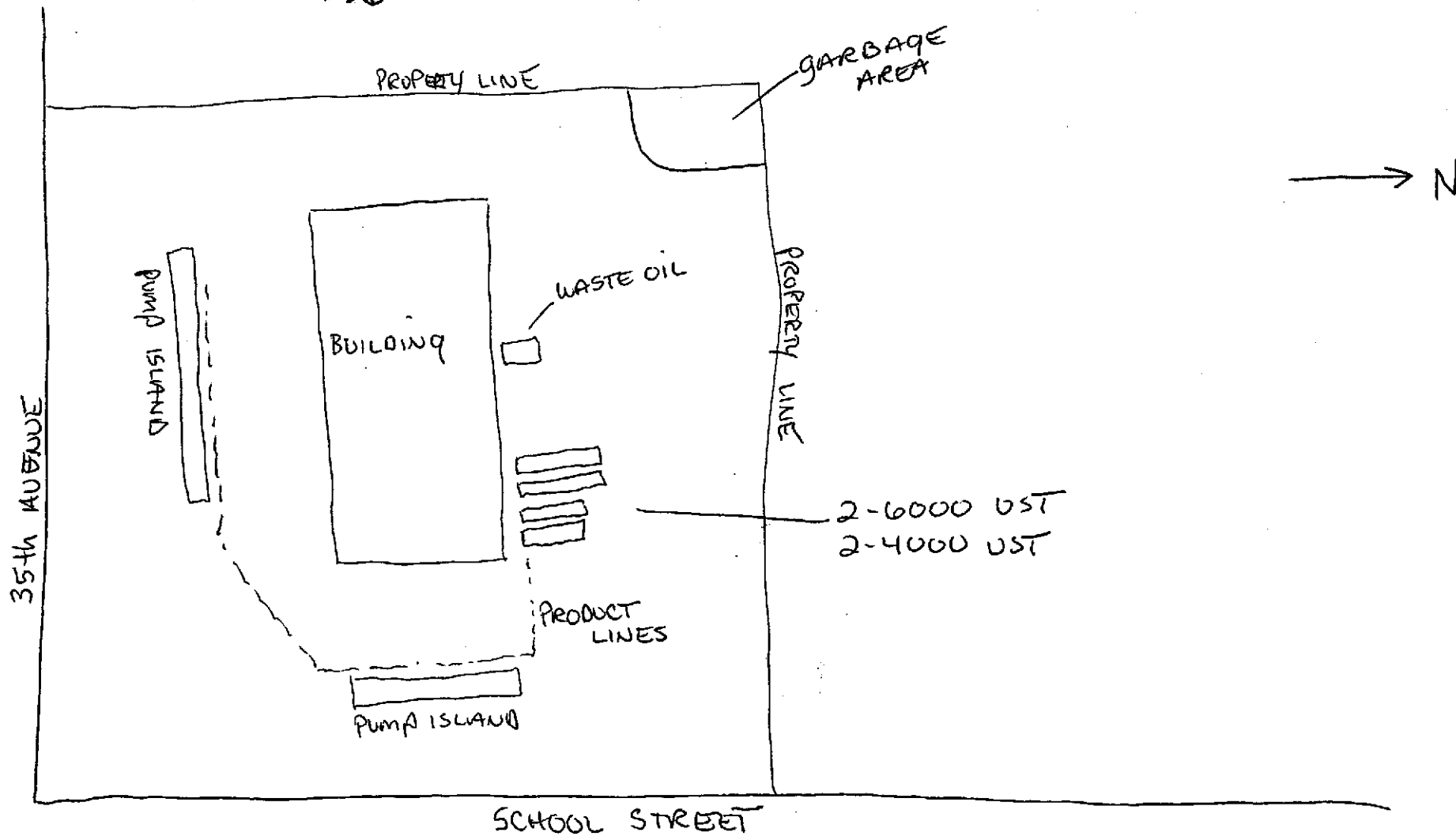
RECOMMENDED HEALTH AND SAFETY PROCEDURES

LEVEL D IS ASSUMED UNLESS CONTRARY EVIDENCE IS AVAILABLE. ALL PERSONNEL SHALL WEAR SAFETY SHOES, AND POSSESS EYE GOGGLES, HARD HAT, DISPOSABLE COVERALLS, RUBBER GLOVES, FIRE EXTINGUISHER, FIRST AID KIT, AND HALF FACE RESPIRATOR WITH ORGANIC VAPOR CARTRIDGE. SHOULD SITE CONDITIONS DIFFER SUBSTANTIALLY, CONTACT THE PROJECT MANAGER OR HEALTH AND SAFETY OFFICER IMMEDIATELY.

THIS FORM SHALL BE FILLED OUT BY THE PROJECT MANAGER ALONG WITH THE CLIENT MASTER AND COPIES FORWARDED TO THE HEALTH AND SAFETY OFFICER.

SAMPLING SPECIALISTS
3146 MANOR AVE.
WALNUT CREEK, CA 94596
1-415-932-4350

1019-004-001



- * ALL UTILITIES HAVE BEEN DISCONNECTED
- * NO WELLS ON SITE
- * DEPTH TO GROUNDWATER APPROX. 15-20'

SCALE
1" = 20'
APPROX.

CHROMALAB SAMPLE REQUIREMENTS

WATER TESTS

<i>Description</i>	<i>Method</i>	<i>Sample size</i>	<i>Typical Detn lim</i>	<i>Hold time</i>	<i>Preservative*</i>
TPH gasoline/BTEX	5030/8015+ 5030/8020	2-40 ml VOA	50 ppb .5 ppb BTEX	14 days	HCl to pH<2
TPH extractables (diesel, kerosene)	3510/8015	2-1 ltr btls	50 ppb	14 days	HCl to pH<2
TPH extractables (motor oil)	3510/8015	2-1 ltr btls	.5 ppm	14 days	HCl to pH<2
Purgeable halocarbons	601	2-40 ml VOA	.5 ppb	14 days	HCl to pH<2
Purgeable aromatics	602	2-40 ml VOA	.5 ppb	14 days	HCl to pH<2
Volatile organics	624	2-40 ml VOA	.5 ppb	14 days	4 drops HCl
Base neutrals & acids (semivolatile organics)	625	1 liter btl	1-5 ppb	14 days	HCl to pH<2
Phenols	604	1 liter btl	.2-20 ppb	7 days	.008% Na ₂ S ₂ O ₅
Pesticides & PCB's	608, 614	1 liter btl	various	7 days	none
Oil and grease	5520 C&F	2-1 ltr btls	1 ppm	28 days	none
Metals	various	200 ml	various	14 days	HNO ₃ to pH<2

* All samples are held at 4 degrees centigrade.

4/8.1

Hcl

SOIL TESTS

<i>Description</i>	<i>Method</i>	<i>Sample size</i>	<i>Typical detn lim</i>	<i>Hold time</i>	<i>Preservative*</i>
TPH gasoline/BTEX	5030/8015+ 5030/8020	1 brass tube	1 ppm 5 ppb BTEX	14 days	none
TPH extractables (diesel, kerosene)	3510/8015 or 3550/8015	1 brass tube	1 ppm	14 days	none
TPH extractables (motor oil)	3510/8015	1 brass tube	10 ppm	14 days	none
Purgeable halocarbons	8010	1 brass tube	5 ppb	14 days	none
Purgeable aromatics	8020	1 brass tube	5 ppb	14 days	none
Volatile organics	8240	1 brass tube	10 ppb	14 days	none
Base neutrals & acids (semivolatiles organics)	8270	1 brass tube	5 ppb	14 days	none
Phenols	8040	1 brass tube	.2-20 ppb	7 days	none
Pesticides, PCB's	8080,8140	1 brass tube	various	7 days	none
Oil and grease	5520 D&F	1 brass tube	10 ppm	28 days	none
Metals	various	50 grams	various	14 days	none

* All samples are held at 4 degrees centigrade.

12/17/90