

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



ENT  
7-13-04

July 13, 2004

2855 Mandela Property, LLC  
Ms. Faye Beverett  
4225 Glen Ave., #200  
Oakland, CA 94611

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

Dear Ms. Beverett:

Subject: Fuel Leak Case RO0000378, 2855 Mandela Parkway, Oakland, CA 94607

This letter responds to your July 2, 2004 request for clarification of the County's involvement with the oversight of the referenced fuel leak site. Such information is requested for the SWRCB Cleanup Fund for their reimbursement decisions. You further commented that there appeared to be a lack of correspondence prior to my oversight. The following is a brief history of actions and correspondences from our office.

- 7/9/92- Notice of Responsibility letter sent to Wareham Property Development.
- 9/1/98- Phase II investigation report from Ceres Associates submitted, free product reported in SB-3.
- 11/28/98- The 11/23/98 Workplan Addendum from Ceres Associates approved by Larry Seto of our office.
- 1/11/99- Meeting with Mr. Larry Seto, Ms. Faye Beverett and consultants from Ceres Associates and Soma Corp. representing former property owner.
- 4/19/99- Approval letter for Treadwell & Rollo 4/14/99 Work Plan for Source Investigation from Mr. Larry Seto.
- 7/15/99- Approval letter for the 6/15/99 Treadwell & Rollo Work Plan for Phase I Remediation and Additional Subsurface Investigation from Mr. Larry Seto.
- 11/12/99- Approval letter for Treadwell & Rollo 11/10/99 Work Plan for Floating Product Plume Delineation from Mr. Larry Seto.
- 2000- Several correspondences regarding the naming of International Truck (formerly International Harvester) as a RP from you, our office and International Truck.
- 6/14/02- Approval letter for the installation of passive product skimmer in TR-4 through TR-6 by the undersigned.
- 2/10/04- Approval letter for draft Interim Corrective Action Plan by the undersigned.

There appears to have been continual correspondence and oversight by our office. Please be informed that your new caseworker from our office is Mr. Don Hwang, 510-567-6746.

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

Sincerely,

Barney M. Chan  
Hazardous Materials Specialist

C: B. Chan, D. Drogos, D. Hwang

7\_13\_04 2855MandelaPkwy

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



February 10, 2004

Page Street Properties c/o  
Ms. Faye Beverett  
155 Filbert St., #250  
Oakland CA 94607

ENVIRONMENTAL HEALTH SERVICES

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

Dear Ms. Beverett:

Subject: Fuel Leak Case No. RO0000378, 2855 Mandela Parkway, Oakland CA 94607

Alameda County Environmental Health, Local Oversight Program (LOP), has reviewed the case file for the subject site including the following Treadwell and Rollo reports and information: Draft Interim Corrective Action Plan, January 22, 2004, Xitech Product Pumps Specifications, January 30, 2004 and Free Product Recovery Pilot Test Memorandum, February 6, 2004. These reports and product specification sheets support the proposal to install an interim product removal system at this site. It will consist of both existing and two additional recovery wells and an extraction trench for free product collection and removal. The proposed remediation system is approved with the technical comments, which follow.

TECHNICAL COMMENTS

1. A minimum of one additional monitoring well should be installed to define the down-gradient extent of the petroleum plume. Please submit a site figure indicating its location and its proposed construction diagram.
2. The new well and the existing wells not used in the free product remediation system should be monitored on a quarterly basis. The quarterly reports should also summarize the total amount of free product removed and an estimate of the area of influence of the extraction wells and trench. The fourth monitoring report shall provide a summary of the prior year's results and present modifications to monitoring protocol and the remediation system, as necessary.
3. Verification sampling of soil and groundwater will be done after the completion of the interim remediation to verify its effectiveness. A final Corrective Action Plan (CAP) will then be recommended.

Please notify our office prior to initiating this work. You may contact me at (510) 567-6765 if you have any questions.

Sincerely,

Barney M. Chan  
Hazardous Materials Specialist

C: B. Chan, D. Drogos

Mr. D. Kleesattel, Treadwell and Rollo, Inc., 501 14<sup>th</sup> St., Third Floor, Oakland, CA 94612

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ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



06-17-02

ENVIRONMENTAL HEALTH SERVICES

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

June 14, 2002

Page Street Properties c/o  
Ms. Faye Beverett  
155 Filbert St., #250  
Oakland CA 94607

Dear Ms. Beverett:

Subject: Fuel Leak Case No. RO0000378, 2855 Mandela Parkway, Oakland CA 94607

Alameda County Environmental Health, Local Oversight Program (LOP), has received and reviewed the following Treadwell and Rollo reports; June 3, 2002 Free-Phase Product Monitoring Plan and June 10, 2002 Addendum to the 1999 Remedial Investigation Report. We also have considered the items discussed during our June 13, 2002 meeting at the County offices. Our office has the technical comments, which follow.

- In the reports and in our meeting, your consultant has explained why the conventional approaches of soil vapor extraction and groundwater extraction would not be effective at the site. Our office concurs with this decision.
- Our office approves, as interim remediation, the installation of passive product skimming devices within the three wells, TR-4 through TR-6. You may start this immediately. Because of the relative small volume of these wells, they should be emptied frequently until the amount of free product entering the well decreases significantly from the original amount.
- The three perimeter wells, TR-7 through TR-9, should be monitored immediately and quarterly thereafter to verify plume stability.
- It was acknowledged that given the amount of estimated free product and its subsurface location, additional areas of removal should be considered. During our meeting, Treadwell and Rollo proposed to add extraction trenches within the accessible parking lot within the free product plume. Our office agrees with this approach and requests that a work plan be provided with the details of the proposed remediation. Please also include a summary of the alternate remediation approaches considered, ie feasibility study.

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. D. Kleesattel, Treadwell and Rollo, Inc., 501 14<sup>th</sup> St., Third Floor, Oakland, CA 94612

MountCAP2855Mandela

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



04-05-01  
P0378

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

April 4, 2001  
StID # 3712

Ms. Faye Beverett  
Page Street Properties, LLC  
155 Filbert St., Suite 250  
Oakland, CA 94607

**Re: Remedial Investigation Work Plan, 2855 Mandela Parkway Property,  
Oakland CA 94607**

Dear Ms. Beverett:

Our office has received and reviewed the March 29, 2001 Remedial Investigation Work Plan as prepared by Treadwell & Rollo, your consultant. As you will recall, this work plan is the result of our March 15, 2001 meeting at the County offices and its contents were previously discussed in the meeting. I have spoke with Mr. McGuire and Mr. Kleesattel of Treadwell & Rollo to get further clarification of the proposed work.

The work plan is approved with the following comments:

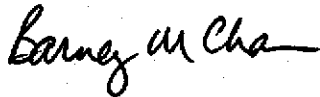
- Ten soil vapor sampling locations are proposed to evaluate the potential of vapor migration into the enclosed building. Shallow soil vapor samples will be collected from a depth of approximately 2-3' bgs (below ground surface). If possible, you should collect an additional sample at a depth of 5-6' bgs from these borings. If saturated soils are encountered, no samples need be collected. The vapor samples should be analyzed for BTEX and TPH as gasoline. Please include boring logs for these sampling locations.
- Two soil borings will be advanced to approximately 20' bgs within the free-product impacted area. These borings will be continuously logged to determine what the vertical distribution of free product within the affected area might be. Should there be an indication of free product existing in the shallow porous soils, a perched well will be installed to remove the free product. If free product is encountered in either of these borings, the boring should not be advanced to the proposed 20' depth for fear of providing a preferential pathway for vertical migration. In the absence of chemical analysis, the field screening measurements using a PID or UV instrument should be used to identify the presence of free product.
- Three wells, TR-7, TR-8 and TR-9 will be installed at the boundaries of the free product plume. They will be used to verify the limits of the plume, show groundwater concentration stability and verify the groundwater gradient.

As mentioned in our meeting, any proposal to eliminate or reduce the amount of free product removal at the site must have the approval of the Water Board.

Ms. Faye Beverett  
2855 Mandela Parkway, Oakland 94607  
StID # 3712  
April 4, 2001  
Page 2

You may contact me at (510) 567-6765 if you have any questions or upon scheduling this work.

Sincerely,



Barney M. Chan  
Hazardous Materials Specialist

C: B. Chan, files

Mr. M. McGuire, Treadwell & Rollo, 501 14<sup>th</sup> St., Third Floor, Oakland, CA 94612

Mr. G. Leong, Soma Corporation, 1412 62<sup>nd</sup> St., Emeryville, CA 94608

Mr. R. Jacobs, Esq., Howard, Rice, Nemerovski, Falk & Rabkin, Three Embarcadero Center,  
Seventh Floor, San Francisco, CA 94111-4065

Ms. S. Holland, International Truck and Engine Corp., 455 North Cityfront Plaza Drive,  
Chicago, IL 60611

Wpap2855Mandela

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



SENT 8-30-2000

RO# 378

August 29, 2000

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

Ms. Sherry Holland  
Senior Counsel  
International Truck and Engine Corporation  
455 North Cityfront Plaza Drive  
Chicago, IL 60611  
STID 3712

RE: 2855 Mandela Parkway, Oakland, CA 94607

Dear Ms. Holland:

A letter dated July 6, 2000 from this office was sent to you informing you that our records indicates that International Harvester was the only user of the underground storage tanks removed from the site in 1991. I also indicated in the letter that International Harvester would be viewed as a responsible party for site clean up unless new information is provided to this office. As of this date, I have not received a response to my letter. Please inform this office within ten (10) days of the receipt of this letter whether you agree the information in the site file for the above address is correct.

If you have any questions, please contact me at (510) 567-6774.

Sincerely,

  
Larry Seto  
Sr. Hazardous Materials Specialist

Cc: Richard Jacobs, Howard Rice, Nemerovski, Falk & Rabkin, Three Embarcadero Center, 7<sup>th</sup> Floor, San Francisco, CA 94111  
Mike O'Connor, Esq. Alameda County District Attorney's Office, Consumer and Environmental Protection, 7677 Oakport, Suite 400, Oakland, CA 94612  
Faye Beverett, Page Street Properties, LLC 155 Filbert Street #250, Oakland, CA 94607  
Leroy Griffin, City of Oakland Fire Services, 1605 Martin Luther King, Oakland, CA 94612  
Files

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



SENT 7-7-2000  
20378

ENVIRONMENTAL HEALTH SERVICES

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

July 6, 2000

Ms. Sherry Holland  
Senior Counsel  
International Truck and Engine Corporation  
455 North Cityfront Plaza Drive  
Chicago, IL 60611  
STID 3712

RE: 2855 Mandela Parkway, Oakland, CA 94607

Dear Ms. Holland:

I have received a copy of your May 9, 2000 letter to Richard Jacobs regarding the subject property. In that letter you stated that International is unwilling to participate in further remediation at the site.

In your letter dated May 9, 2000 you stated International Harvester, a predecessor to International Truck and Engine Corporation, owned the property from 1975 to 1982. In fact, the chain of title indicates International Harvester Company purchased the property in 1939. The building plans, done for International Harvester are dated 1941.

This Agency is charged with identifying Responsible Parties and remediating subsurface contamination. The available information indicates that International Harvester was the only user of the tanks removed from the site in 1991. Therefore, this Agency and the State of California will look to International Harvester as a Responsible Party, unless International Harvester can provide new information. The fact that you may have a private agreement with Cypress Properties does not alter or lessen your responsibility as a Responsible Party as defined in the Underground Storage Tank (UST) regulations of the State of California.

I have consulted with Mike O'Connor, Deputy District Attorney in the Consumer and Environmental Protection Division of the Alameda County District Attorney's Office regarding this matter. Mr. O'Connor agrees that the current facts indicate that International Harvester is a responsible party and any private agreement it has does not affect its obligation to this Agency or the State of California. In addition, he concurs with this office that the volume of free product is significant and warrants immediate attention.

Ms. Sherry L. Holland  
International Truck and Engine Corporation  
455 North Cityfront Plaza Drive  
Chicago, IL 60611  
July 6, 2000  
Page 2 of 3

Please be advised that the State of California has a Petroleum Underground Storage Tank Cleanup Fund (the "Fund"). The Fund covers reimbursement claims for corrective action cost paid or incurred for cleanup work, including preliminary site assessment, soil and water investigation, corrective action implementation and verification monitoring after cleanup is completed. The maximum reimbursement per occurrence ranges from \$500,000 to \$1 million, depending upon the site usage, and the deductible ranges from \$0 to \$10,000 depending upon financial need.

In order to seek reimbursement from the Fund, the claimant must be or have been the owner or operator of the UST, which is subject to the claim, and must have been in compliance with applicable permit requirements to own or operate an UST. Since the UST was removed from the site in 1991, the current property owner, 2855 Mandela Property who purchased the site in 1998, does not qualify as a claimant since it neither owned nor operated the UST. However, International Harvester may qualify for reimbursement from the Fund for its expenses of cleanup.

For your information, I have enclosed a manual regarding the Fund.

Please contact me at your earliest convenience to discuss your anticipated role in the investigation and remediation of the site.

If you have any questions, please contact me at (510) 567-6774.

Sincerely,



Larry Seto  
Sr. Hazardous Materials Specialist



Ms. Sherry L. Holland  
International Truck and Engine Corporation  
455 North Cityfront Plaza Drive  
Chicago, IL 60611  
July 6, 2000  
Page 3 of 3

Enclosure(s) (1) A Guide to California's Petroleum Underground Storage Tank Cleanup  
Fund

Cc: Richard Jacobs, Howard Rice, Nemerovski, Falk & Rabkin, Three Embarcadero  
Center, 7<sup>th</sup> Floor, San Francisco, CA 94111  
Mike O'Connor, Esq. Alameda County District Attorney's Office, Consumer and  
Environmental Protection, 7677 Oakport, Suite 400, Oakland,  
CA 94612  
Faye Beverett, Page Street Properties, LLC 155 Filbert Street #250,  
Oakland, CA 94607  
Leroy Griffin, City of Oakland Fire Services, 1605 Martin Luther King, Oakland,  
CA 94612  
Files

ALAMEDA COUNTY  
HEALTH CARE SERVICES



AGENCY  
DAVID J. KEARS, Agency Director

20318

ENVIRONMENTAL HEALTH SERVICES

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

March 7, 2000

International Truck (formerly International Harvester)  
Mr. Robert Boardman  
Senior VP & General Counsel  
455 N. City Front Plaza Drive  
Chicago, IL 60611  
STID 3712

RE: 2855 Mandela Parkway, Oakland, CA 94607

Dear Mr. Alido:

Subsurface investigations conducted at the above site by the current property owner have detected a substantial subsurface release of gasoline, resulting in the presence of free product under the site and associated concentrations in soil and groundwater.

The only conclusively identified potential source are underground storage tanks (USTs) that were removed from the site in 1991 by a former property owner. At the time of their removal, they were reported to still contain product and to be severely deteriorated with numerous holes.

**Research of the site ownership history identified International Harvester Company (IH) as the property owner from approximately 1941 to 1982.** Records indicate that IH operated the property as a truck repair and sales facility until at least 1970 (the last date of Sanborn Map coverage for the property) and possibly as late as 1983. An IH building design drawing identifies a pump and pump island, an indication that one or more underground storage tanks were in the ground during the time IH occupied the site. Information by subsequent property owners indicates that no other operations at the site used underground tanks.

To summarize the investigation, two USTs a waste oil tank and a 350-gallon gasoline tank were discovered and removed in 1991. The UST excavations were backfilled. In 1998, a Phase II subsurface investigation was the first to include groundwater grab samples, and the first to encounter free product. Subsequent investigations concluded the free product occupies approximately 15,000 square feet extending under the building and adjacent outdoor areas as far as about the middle of Willow Street. The free product is gasoline containing organic lead without MTBE. The abandoned gasoline UST located across Willow Street does not appear to be the source of the on-site free product.

International Truck  
Mr. Robert Boardman  
455 N. City Front Plaza Drive  
Chicago, IL 60611  
March 2, 2000  
Page 2 of 3

State Water Resources Control Board, California Environmental Protection Agency regulations define "Responsible Party" for purpose of underground storage tank corrective action requirements as one of the following:

- (1) Any person who owns or operates an underground storage tank used for the storage of any hazardous substance;
- (2) In the case of any underground storage tank no longer in use, any person who owned or operated the underground storage tank immediately before the discontinuation of its use;
- (3) Any owner of property where an unauthorized release of a hazardous substance from an underground storage tank has occurred; and
- (4) Any person who had or has control over an underground storage tank at the time of or following an unauthorized release of a hazardous substance.

In addition, under federal law (42 USC Section 6991(3)(B)), the person who owned a tank which was not used after November 8, 1984 immediately before the discontinuance of its use may be named a responsible party, even though substantial evidence does not exist to show that the leak occurred before discontinuance of use.

Based on the information currently available to this office, International Harvester Co. is the last operator, and most likely the only operator of the 350-gallon gasoline UST.

International Harvester Co. and 2855 Mandela Property are considered jointly and severally responsible for site cleanup. The enclosed Notice of Responsibility identifies your role as a responsible party. 2855 Mandela Property is a responsible party only because they are the current property owner.

International Truck  
Mr. Robert Boardman  
455 N. City Front Plaza Drive  
Chicago, IL 60611  
March 2, 2000  
Page 3 of 3

If you have any questions, please contact me at (510) 567-6774.

Sincerely,



Larry Seto  
Sr. Hazardous Materials Specialist

Cc: Mr. Ferdinand Alido, International Truck, 455 N. City Front Plaza Drive,  
Chicago, IL 60611  
Faye Beverett, 2855 Mandela Property c/o Page Street Properties, Three  
Embarcadero, San Francisco, CA 94111  
Michael McGuire, Treadwell & Rollo, 2 Theatre Square, Suite 216,  
Orinda, CA 94563  
Glenn Leong, Soma Corporation, 1412 62<sup>nd</sup> Street, Emeryville, CA 94608-2036  
Leroy Griffin, City of Oakland-Fire, 505 14<sup>th</sup> Street, Oakland, CA 94612  
Files

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



Sent 11-12-99  
Including cc's

00378

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

November 12, 1999

Ms. Faye Beverett, Property Owner  
Page Street Properties, LLC  
Three Embarcadero Center, Suite 1150  
San Francisco, CA 94111  
STID 3712

RE: 2855 Mandela Parkway, Oakland, CA 94607

Dear Ms. Beverett:

I have reviewed your Workplan for Floating Product Plume Delineation dated November 10, 1999 that was prepared by Treadwell/Rollo. It is acceptable.

If you have any questions, please contact me at (510) 567-6774.

Sincerely,



Larry Seto  
Sr. Hazardous Materials Specialist

Cc: Carrie Austin, Treadwell & Rollo, 2 Theatre Square, Suite 216,  
Orinda, CA 94563  
Michael McGuire, Treadwell & Rollo, 2 Theatre Square, Suite 216,  
Orinda, CA 94563  
Glenn Leong, Soma Corporation, 1260B 45<sup>th</sup> Street, Emeryville, CA 94608  
Leroy Griffin, City of Oakland-Fire, 505 14<sup>th</sup> Street, Oakland, CA 94612  
Files

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



Ro 378

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

July 12, 1999

Ms. Carrie Austin  
Treadwell & Rollo  
2 Theatre Square, Suite 216  
Orinda, CA 94563

STP 3712

RE: 2855 Mandela Parkway, Oakland, CA 94607

Dear Ms. Austin:

As per our telephone conversation today, the free product extracted from the groundwater may not be classified as a hazardous waste if all of the following conditions are met:

- 1) A laboratory report from a certified laboratory identifies the compounds in the floating product
- 2) A copy of this laboratory report in #1 above is given to the disposal/energy facility for review. The disposal/energy facility must put in writing that they have reviewed the analytical report, and can use the floating product extracted from the ground as an energy source.
- 3) Verification that the disposal facility is licensed to perform their activities at their site

If you have any questions, please contact me at (510)567-6774.

Sincerely,

Larry Seto  
Sr. Hazardous Materials Specialist

Cc: Michael McGuire, Treadwell & Rollo, 2 Theatre Square, Suite 216, Orinda, CA  
Faye Beverett, Page Street Properties, Three Embarcadero Center, Suite 1150,  
San Francisco, CA 94111  
Hernan Gomez, City of Oakland Haz Mat., 505-14<sup>th</sup> Street, Oakland, CA 94612  
Files

ALAMEDA COUNTY  
HEALTH CARE SERVICES



AGENCY  
DAVID J. KEARS, Agency Director

RO 318

ENVIRONMENTAL HEALTH SERVICES

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

June 15, 1999

Ms. Faye Beverett, Property Owner  
Page Street Properties, LLC  
Three Embarcadero Center, Suite 1150  
San Francisco, CA 94111

RE: 2855 Mandela Parkway, Oakland, CA 94607

Dear Ms. Beverett:

I have reviewed your Workplan for Phase I Remediation and Additional Subsurface Investigation dated June 15, 1999 that was prepared by Treadwell & Rollo. It is acceptable.

If you have any questions, please contact me at (510) 567-6774.

Sincerely,

  
Larry Seto  
Sr. Hazardous Materials Specialist

Cc: Michael McGuire, Treadwell & Rollo, 2 Theatre Square, Suite 216,  
Orinda, CA 94563  
Glenn Leong, Soma Corporation, 1260B 45<sup>th</sup> Street, Emeryville, CA 94608  
Leroy Griffin, City of Oakland-Fire, 505-14<sup>th</sup> Street, Oakland, CA 94612  
Files

ALAMEDA COUNTY  
HEALTH CARE SERVICES



AGENCY  
DAVID J. KEARS, Agency Director

RO# 378

April 19, 1999

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

Ms. Faye Beverett, Property Owner  
Page Street Properties, LLC  
Three Embarcadero Center, Suite 1150  
San Francisco, CA 94111

RE: 2855 Mandela Parkway, Oakland, CA 94607

Dear Ms. Beverett:

I have reviewed your Workplan for Source Investigation of Free Product dated April 14, 1999, prepared by Treadwell & Rollo. It is acceptable with the condition that soil samples are collected every 5 feet from each boring, and submitted to the analytical laboratory. The samples can be put on hold for future use if necessary.

If you have any questions, please contact me at (510) 567-6774.

Sincerely,



Larry Seto  
Sr. Hazardous Materials Specialist

Michael McGuire, Treadwell & Rollo, 2 Theatre Square, Suite 216, Orinda, CA 94563  
Glenn Leong, Soma Corporation, 1260B 45<sup>th</sup> Street, Emeryville, CA 94608  
Leroy Griffin, 505-14<sup>th</sup> Street, 7<sup>th</sup> Floor, Oakland, CA 94612  
Files



ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



Related:  
2855 mandela Pkwy, Oakland

RO# 378

March 12, 1999

ENVIRONMENTAL HEALTH SERVICES  
ENVIRONMENTAL PROTECTION (LOP)  
1131 Harbor Bay Parkway, Suite 250  
Alameda, CA 94502-6577  
(510) 587-6700  
FAX (510) 337-9335

Ms. Beverly Wirth  
Successor Trustee of the Marjorie G. Hubbel Trust  
9 Westminster Place  
Walnut Creek, CA 94595  
STID 3712

RE: 2607 Mandela Parkway, Oakland, CA 94607

Dear Ms. Wirth:

On March 3, 1999 we had a telephone conversation concerning the above site that you were formerly responsible for. An underground tank was closed in place before the site was sold to the present owners. There is groundwater data that has been collected downgradient from the above site that indicates **contamination maybe migrating from 2607 Mandela Parkway towards 2853 Mandela Parkway**. I made a request that you initiate a subsurface investigation since you were the last owner of the underground tank before it was closed. Your response was that you did not have the money to initiate a subsurface investigation.

Groundwater data currently available to this office indicates that groundwater is moving from 2607 Mandela Parkway to 2853 Mandela Parkway. Two groundwater samples collected on Willow Street, which separates the two properties, contained more than 3 feet of floating product in each sample.

I suggest that the property owners at 2607 and 2853 Mandela Parkway open a dialogue and reach an agreement to initiate a subsurface investigation in accordance to Article 11, California Code of Regulations, Title 23, Underground Storage Tank Regulations. The purpose of this investigation should be to identify the source of the contamination that is affecting the groundwater on and adjacent to your properties.

If you have any questions, please contact me at (510) 567-6774.

Sincerely,



Larry Seto  
Sr. Hazardous Materials Specialist

Cc: Leroy Griffin, City of Oakland-Fire Department, 505-14<sup>th</sup> Street,  
Oakland, CA 94612  
Faye Beverett, Page Street Properties, Three Embarcadero Center  
Suite 1150, San Francisco, CA 94111  
Tom Breunig, 2607 Mandela Parkway, #1, Oakland, CA 94606  
Mike Dinga, 2607 Mandela Parkway, #1, Oakland, CA 94606  
William Wasko, The Ordway Building, One Kaiser Plaza, Suite 1545  
Oakland, CA 94612

Files

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



R0# 378

Certified Mailer# Z 199 067 057

February 25, 1999

Ms. Beverly Wirth, Successor Trustee  
of the Marjorie G. Hubbell Trust  
9 Westminster Place  
Walnut Creek, CA 94595  
STID 3712

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

RE: 2855 Mandela Parkway, Oakland, CA 94607

Dear Ms. Wirth:

I would like to introduce myself as the caseworker that is overseeing the investigation of the subsurface petroleum hydrocarbon contamination at the above address. The new owner of the site, Faye Beverett of Page Street Properties, LLC had Ceres Associates perform a Phase II investigation, and a follow-up investigation. Five soil borings were advanced on Willow Street (SB-8, SB-9, SB-13, SB-14 & SB-15), and soil and groundwater samples were collected. Groundwater samples collected from SB-8 and SB-9 had more than 3' (three feet) of floating product. The groundwater sample from SB-13 contained 1,800 ppb TPH(g), 88 ppb benzene, 100 ppb toluene, 85 ethylbenzene and 160 ppb xylenes. The groundwater sample from SB14 contained 14 ppb of MTBE and the sample from SB15 contained 0.55 ppb xylenes.

The groundwater flow direction beneath the above site is towards the west-northwest (2607 Mandela Parkway towards 2853-2863 Mandela Parkway). Ceres Associates calculated the groundwater flow direction during the August 1998 investigation by installing temporary well casings in three soil borings located across the property, allowing groundwater in each borehole to stabilize for at least 24 hours, and then surveying the water table elevations at each sample location. The groundwater samples collected from SB-3, SB-3B and SB-3C, the three soil borings at the above site closet to Willow Street contained floating product.

The data currently available to this office indicates that petroleum hydrocarbon contamination maybe migrating from your former property to your neighbor's property at the above address. It is my understanding after the underground storage tank that formerly contained gasoline was closed in place in February 1997, the property was transferred to Mr. Thomas Breunig and Mr. Mike Dinga of CounterForce. (Enclosed is a copy of the Soil and Groundwater Assessment Report dated December 28, 1998 that was prepared by Ceres Associates.)

As per Section 2724, Title 22, California Code of Regulations, Article 11, you are required to submit a Soil and Water Investigation workplan within 30 days. This workplan must be prepared by a California -Register Geologist, Certified Engineering Geologist, or Registered Civil Engineer.

If you have any questions, please contact me at (510) 567-6774.

Sincerely,



Larry Seto  
Sr. Hazardous Materials Specialist

Cc: Leroy Griffin, City of Oakland-Fire Department, 505-14<sup>th</sup> Street,  
Oakland, CA 94612  
Faye Beverett, Page Street Properties, Three Embarcadero Center  
Suite 1150, San Francisco, CA 94111  
Tom Breunig, 2607 Mandela Parkway, #1, Oakland, CA 94606.  
Mike Dinga, 2607 Mandela Parkway, #1, Oakland, CA 94606  
William Wasko, The Ordway Building, One Kaiser Plaza, Suite 1545  
Oakland, CA 94612

Files

ALAMEDA COUNTY  
HEALTH CARE SERVICES



AGENCY  
DAVID J. KEARS, Agency Director

RO #378

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

Certified Mailer#

January 12, 1999

Mr. Thomas Breunig  
CounterForce  
2607 Mandela Parkway, #1  
Oakland, CA 94606

RE: 2855 Mandela Parkway, Oakland, CA 94607

Dear Mr. Breunig:

I would like to introduce myself as the caseworker that is overseeing the investigation of the subsurface petroleum hydrocarbon contamination at the above address. The new owner of the site, Faye Beverett of Page Street Properties, LLC had Ceres Associates perform a Phase II investigation, and a follow-up investigation. Five soil borings were advanced on Willow Street (SB-8, SB-9, SB-13, SB-14 & SB-15), and soil and groundwater samples were collected. Groundwater samples collected from SB-8 and SB-9 had more than 3' (three feet) of floating product. The groundwater sample from SB-13 contained 1,800 ppb TPH(g), 88 ppb benzene, 100 ppb toluene, 85 ethylbenzene and 160 ppb xylenes. The groundwater sample from SB14 contained 14 ppb of MTBE and the sample from SB15 contained 0.55 ppb xylenes.

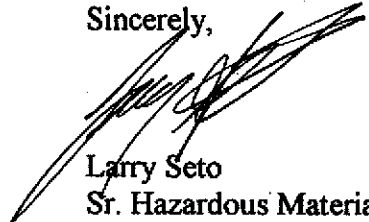
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The data currently available to this office indicates that petroleum hydrocarbon contamination maybe migrating from your property to your neighbor's property at the above address. Enclosed is a copy of the Soil and Groundwater Assessment Report dated December 28, 1998 that was prepared by Ceres Associates.

As per Section 2724, Title 22, California Code of Regulations, Article 11, you are required to submit a Soil and Water Investigation workplan within 30 days. This workplan must be prepared by a California -Register Geologist, Certified Engineering Geologist, or Registered Civil Engineer.

If you have any questions, please contact me at (510) 567-6774.

Sincerely,



Larry Seto  
Sr. Hazardous Materials Specialist

Cc: Leroy Griffin, City of Oakland, Fire Department  
Faye Beverett, Page Street Properties, Three Embarcadero Center  
Suite 1150, San Francisco, CA 94111

Files

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



RO# 378

ENVIRONMENTAL HEALTH SERVICES

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

Certified Mailer#

January 12, 1999

Mr. Thomas Breunig  
CounterForce  
2607 Mandela Parkway, #1  
Oakland, CA 94606

RE: 2855 Mandela Parkway, Oakland, CA 94607

Dear Mr. Breunig:

I would like to introduce myself as the caseworker that is overseeing the investigation of the subsurface petroleum hydrocarbon contamination at the above address. The new owner of the site, Faye Beverett of Page Street Properties, LLC had Ceres Associates perform a Phase II investigation, and a follow-up investigation. Five soil borings were advanced on Willow Street (SB-8, SB-9, SB-13, SB-14 & SB-15), and soil and groundwater samples were collected. Groundwater samples collected from SB-8 and SB-9 had more than 3' (three feet) of floating product. The groundwater sample from SB-13 contained 1,800 ppb TPH(g), 88 ppb benzene, 100 ppb toluene, 85 ethylbenzene and 160 ppb xylenes. The groundwater sample from SB14 contained 14 ppb of MTBE and the sample from SB15 contained 0.55 ppb xylenes.

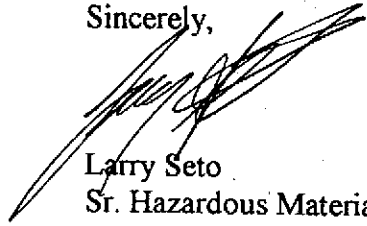
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The data currently available to this office indicates that petroleum hydrocarbon contamination maybe migrating from your property to your neighbor's property at the above address. Enclosed is a copy of the Soil and Groundwater Assessment Report dated December 28, 1998 that was prepared by Ceres Associates.

As per Section 2724, Title 22, California Code of Regulations, Article 11, you are required to submit a Soil and Water Investigation workplan within 30 days. This workplan must be prepared by a California -Register Geologist, Certified Engineering Geologist, or Registered Civil Engineer.

If you have any questions, please contact me at (510) 567-6774.

Sincerely,



Larry Seto  
Sr. Hazardous Materials Specialist

Cc: Leroy Griffin, City of Oakland, Fire Department  
Faye Beverett, Page Street Properties, Three Embarcadero Center  
Suite 1150, San Francisco, CA 94111

Files



ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



Levey

RO#378

January 11, 1999

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

Ms. Faye Beverett, Property Owner  
Page Street Properties, LLC  
Three Embarcadero Center, Suite 1150  
San Francisco, CA 94111

RE: 2855 Mandela Parkway, Oakland, CA 94607

Dear Ms. Beverett:

Today I met with you, Mr. Nicholas Patz and Mr. Michael Siembieda from Ceres Associates, your consultants, and Glenn Leong of Soma Corporation, the consultant representing the previous property owner. Groundwater samples taken from six soil borings on your property contained floating product. Five of the boring locations are up gradient from the former underground tank location, and groundwater samples from three of the borings had more than three feet of floating product. In addition, the product appears to increase in volume upgradient from the former tanks on your property. With the data currently available, it appears that an off-site source may be responsible for the contamination detected beneath the southeast portion of your property and beneath Willow Street. I am in the process of contacting the property owner at 2607 Mandela Parkway (the property located in the immediate up gradient direction) to request an investigation of his abandoned-in-place gasoline underground storage tank. The product beneath the southeast portion of your property and beneath Willow Street may originate from this site.

If you have any questions, please contact me at (510) 567-6774.

Sincerely,

Larry Seto  
Sr. Hazardous Materials Specialist

Cc: Nicholas Patz, Ceres Associates, 5040 Commercial Circle, Suite F,  
Concord, CA 94520  
Michael Siembieda, Ceres Associates, 5040 Commercial Circle, Suite F,  
Concord, CA 94520  
Glenn M. Leong, SOMA Corporation, 1260B 45<sup>th</sup> Emeryville, CA 94608  
Files

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



RO#378

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

November 25, 1998

Ms. Faye Beverett, Property Owner  
Page Street Properties, LLC  
Three Embarcadero Center, Suite 1150  
San Francisco, CA 94111

RE: 2855 Mandela Parkway, Oakland, CA

Dear Ms. Beverett:

I have reviewed the Workplan-Addition Phase II Environmental Site Assessment, dated November 23, 1998 that was prepared Ceres Associates. It is acceptable with the condition that the soil and groundwater samples be tested for the presence of MTBE.

If you have any questions, please contact me at (510) 567-6774.

Sincerely,



Larry Seto  
Sr. Hazardous Materials Specialist

Cc: Nicholas Patz, Ceres Associates, 5040 Commercial Circle, Suite F,  
Concord, CA 94520

ALAMEDA COUNTY  
HEALTH CARE SERVICES



AGENCY  
DAVID J. KEARS, Agency Director

R0378

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

June 26, 1998

ATTN: Accounts Payable

Wareham Property Develop.  
2855 Cypress St  
Oakland CA 94607

RE: Project # 5029A - Type R  
at 2855 Cypress St in Oakland 94607

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 \$243.25, payable to Alameda County, Environmental Health Services, within two weeks of receipt of this letter.

It is expected that the amount requested will allow the project to be completed with a zero balance. Otherwise, more money will be requested or any unused monies will be refunded to you or your designee.

The deposit refund mechanism is authorized in Section 6.92.040L of the Alameda County Ordinance Code. Work on this project will be debited at the Ordinance specified rate, currently \$94 per hour.

Please be sure to write the following identifying information on your check:

- project #
- type of project and
- site address

(see RE: line above).

If you have any questions, please contact Amir Gholami at (510) 567-6876.

Sincerely,

Tom Peacock, Manager  
Environmental Protection

c: files

ALAMEDA COUNTY  
HEALTH CARE SERVICES



AGENCY  
DAVID J. KEARS, Agency Director

R0378

ENVIRONMENTAL HEALTH SERVICES

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

May 19, 1998

ATTN: Sir Or Madam

Dee's Excavation  
3645 Leafwood Circle  
Antioch Ca 94509

Not in Envision  
In RBase STIP # 3712  
Envision = 2855  
Mandela  
R0378

RE: Project # 5029A - Type R  
at 2855 Cypress St in Oakland 94607

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 \$243.25, payable to Alameda County, Environmental Health Services, within two weeks of receipt of this letter.

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Please be sure to write the following identifying information on your check:

- project #
- type of project and
- site address

(see RE: line above).

If you have any questions, please contact Amir Gholami at (510) 567-6876.

Sincerely,

Tom Peacock, Manager  
Environmental Protection

c: files

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



R0378

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

Certified Mailer #  
October 14, 1993  
STID 3712

P 418 724 680

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

Daniel Nourse  
Cypress Property  
1120 Nye St., Suite 400  
San Rafael CA 94901

re: Wareham Property  
2855 Cypress St.  
Oakland CA 94607

**NOTICE OF VIOLATION**

Dear Mr. Nourse,

I have received your letter dated 7/19/93 regarding the above-referenced site. I wrote a letter to you dated 8/10/93 (attached), and have not received a response. Therefore, this is considered a Notice of Violation. Here is my list of concerns:

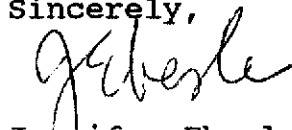
- 1) Do you represent the former tank operator? It is our understanding that you represent the property owner.
- 2) We do not have an Unauthorized Leak Report (ULR) on file. This is required within 5 days of the detection of a leak of hazardous substance. I have enclosed a copy of this form for your convenience. Please fill it out and return it **within 15 days or by October 29, 1993.**
- 3) The tank excavation was filled with the stockpiled soil from the tank removal, according to the 8/13/91 report by Harding Lawson Associates (HLA). This soil contained 410 ppm TPH-motor oil, 230 ppm TPH-diesel, and 81 ppm TPH-gasoline. Was this soil subsequently removed?
- 4) According to your letter dated 7/19/93, a stockpile of soil still exists onsite. What is the origin of this stockpile? Has it been sampled? What are the results? What is the estimated quantity? Has the Bay Area Air Quality Management District been notified of its aeration, presuming it has elevated levels of petroleum hydrocarbons?

Please respond to these items **within 30 days or by November 14, 1993.** If you have any questions, please contact me at 510-271-4530.

Daniel Nourse  
STID 3712  
October 14, 1993  
page 2 of 2

Please be advised that "no person shall close an underground tank system unless that person . . . demonstrates to the appropriate agency . . . that the site has been investigated to determine if there are any present, or were past releases, and if so, that appropriate corrective or remedial actions have been taken," as per Section 25298 (c) (4) of the California Health & Safety Code, (CH&SC) Division 20, Chapter 6.7. Further, "any operator of an underground tank system shall be liable for a civil penalty of not less than five hundred dollars (\$500) or more than five thousand dollars (\$5,000) for each underground storage tank for each day of violation for. . .failure to properly close an underground tank system," as per Section 25299 (a) (5) of CH&SC, Division 20, Chapter 6.7.

Sincerely,



Jennifer Eberle  
Hazardous Materials Specialist

cc: Ed Howell/file  
Chris Rossito, Harding Lawson Assoc., 200 Rush Landing Rd.,  
Novato CA 94945

je

attachment

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY



DAVID J. KEARS, Agency Director

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

R0378

August 10, 1993  
STID 3712

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

Daniel Nourse  
Cypress Property  
1120 Nye St., Suite 400  
San Rafael CA 94901

re: Wareham Property  
2855 Cypress St.  
Oakland CA 94607

Dear Mr. Nourse,

I have received your letter dated 7/19/93 regarding the above-referenced site. Since we have been playing phone tag, and since I have inherited this case from my predecessor Dennis Byrne, I am writing you with a list of concerns:

- 1) Do you represent the former tank operator? It is our understanding that you represent the property owner.
- 2) We do not have an Unauthorized Leak Report (ULR) on file. This is required within 5 days of the detection of a leak of hazardous substance. I have enclosed a copy of this form for your convenience. Please fill it out and return it within 15 days or by August 25, 1993.
- 3) The tank excavation was filled with the stockpiled soil from the tank removal, according to the 8/13/91 report by Harding Lawson Associates (HLA). This soil contained 410 ppm TPH-motor oil, 230 ppm TPH-diesel, and 81 ppm TPH-gasoline. Was this soil subsequently removed?
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Please respond to these items within 30 days or by September 10, 1993. If you have any questions, please contact me at 510-271-4530.

Sincerely,

Jennifer Eberle  
Hazardous Materials Specialist

cc: Ed Howell/file  
Chris Rossito, Harding Lawson Assoc., 200 Rush Landing Rd.,  
Novato CA 94945

je