

RO 387

**Wickham, Jerry, Env. Health**

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**From:** David Gibbs [David.Gibbs@pdenviro.com]  
**Sent:** Thursday, May 31, 2007 10:32 AM  
**To:** Wickham, Jerry, Env. Health  
**Cc:** PDKing0000@aol.com  
**Subject:** Groundwater sampling at 2301 E. 12th in Oakland (RO387)

Jerry,

Monitoring and sampling of the wells at the subject site is scheduled for Monday, June 4<sup>th</sup>. A work plan proposing additional site activities will be submitted upon receipt of the analytical data from the groundwater monitoring and sampling event.

Should you have any questions or comments, please feel free to call us at 510-658-6916.

Best Regards,

P&D Environmental, Inc.

Dave Gibbs, P.G.

**Wickham, Jerry, Env. Health**

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**From:** Wilson, Penny -- EMI [Penny.Wilson@ttemi.com]  
**Sent:** Tuesday, June 27, 2006 2:03 PM  
**To:** Wickham, Jerry, Env. Health  
**Subject:** 2301 East 12th Street

Hi Jerry,

Just confirming we will be at the meeting tomorrow at 10 am. I still don't have a signed contract so I will talk to the client after the meeting.

Tom reviewed the comments and agrees with what needs to happen going forward. He just had a few questions. I wanted to verify if we needed to include the quarterly gw sampling in the work plan or if you wanted us to start that as soon as possible.

Thanks Penny

Tetra Tech EM Inc.  
135 Main Street Ste. Ste 1800  
San Francisco, CA 94105  
Phone (415) 222-8203  
Fax (415) 543-5480

6/28/2006

RO387  
RO504**Wickham, Jerry, Env. Health**

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**To:** Wilson, Penny -- EMI  
**Cc:** Charles Steidtmann (steidtmann@aol.com); Virginia Tracy (virginiatracy@hotmail.com)  
**Subject:** RE: Extension Request for 1200 20th Avenue and 2301 East 12th Street, Oakland, CA

Hi Penny,

Based on your request and the discussions during our meeting today (June 28, 2006), the schedule for submittal of a Subsurface Investigation Report for case RO504 - 1200 20th Avenue is extended to October 26, 2006. The schedule for submittal of a Work Plan for case RO387 - 2301 East 12th Street, is extended to August 30, 2006. A schedule for future submittal of groundwater monitoring results for case RO387 will be provided following Alameda County Environmental Health review of the Work Plan.

Regards,  
*Jerry Wickham*  
Hazardous Materials Specialist  
Alameda County Environmental Health  
1131 Harbor Bay Parkway  
Suite 250  
Alameda, CA 94502-6577  
510-567-6791 phone  
510-337-9335 Fax  
[jerry.wickham@acgov.org](mailto:jerry.wickham@acgov.org)

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**From:** Wilson, Penny -- EMI [mailto:Penny.Wilson@ttemi.com]  
**Sent:** Friday, June 23, 2006 4:18 PM  
**To:** Wickham, Jerry, Env. Health  
**Subject:** RE: Extension Request for 1200 20th Avenue and 2301 East 12th Street, Oakland, CA

Hi Jerry,

On the behalf of the client I am requesting an extension in order to complete the following work at 1200 20<sup>th</sup> Avenue and 2301 East 12<sup>th</sup> Street in Oakland, CA.

2301 East 12<sup>th</sup> Street  
Work Plan and 1<sup>st</sup> Quarter Groundwater Monitoring Report -- September 28, 2006  
2<sup>nd</sup> Quarterly Groundwater Monitoring Report -- December 21, 2006

1200 20<sup>th</sup> Avenue  
Subsurface Investigation Report -- October 26, 2006

Please let me know if we need to change any of the dates.

Thanks Penny

Tetra Tech EM Inc.  
135 Main Street Ste. Ste 1800  
San Francisco, CA 94105  
Phone (415) 222-8203  
Fax (415) 543-5480

6/28/2006

R0387  
R0504

**Wickham, Jerry, Env. Health**

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**From:** Wilson, Penny -- EMI [Penny.Wilson@ttemi.com]  
**Sent:** Friday, June 23, 2006 4:18 PM  
**To:** Wickham, Jerry, Env. Health  
**Subject:** RE: Extension Request for 1200 20th Avenue and 2301 East 12th Street, Oakland, CA

Hi Jerry,

On the behalf of the client I am requesting an extension in order to complete the following work at 1200 20<sup>th</sup> Avenue and 2301 East 12<sup>th</sup> Street in Oakland, CA.

2301 East 12<sup>th</sup> Street  
Work Plan and 1<sup>st</sup> Quarter Groundwater Monitoring Report – September 28, 2006  
2<sup>nd</sup> Quarterly Groundwater Monitoring Report – December 21, 2006

1200 20<sup>th</sup> Avenue  
Subsurface Investigation Report – October 26, 2006

Please let me know if we need to change any of the dates.

Thanks Penny

Tetra Tech EM Inc.  
135 Main Street Ste. Ste 1800  
San Francisco, CA 94105  
Phone (415) 222-8203  
Fax (415) 543-5480

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RO 5 357

**Wickham, Jerry, Env. Health**

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**From:** Wilson, Penny -- EMI [Penny.Wilson@ttemi.com]  
**Sent:** Friday, June 23, 2006 4:13 PM  
**To:** Wickham, Jerry, Env. Health  
**Subject:** RE: 2301 East 12th Street, Oakland, CA

Hi Jerry,

Sorry I have not got back to you earlier. I have not received the contract for the client for the other sites (2301 East 12<sup>th</sup> Street and 1200 20<sup>th</sup> Avenue). Im assuming we are still on for the meeting on Wed. at 10 am. The client and lawyer confirmed that they were attending. However, Im sure Ed will not let me go without a contract. I will touch base with you Tuesday if we are canceling. Sorry. In a separate email, I will write the extension request for those sites. Even if we are not the contractor, I don't want them to get penalized.

Penny

Tetra Tech EM Inc.  
135 Main Street Ste. Ste 1800  
San Francisco, CA 94105  
Phone (415) 222-8203  
Fax (415) 543-5480

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6/28/2006

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

May 30, 2006

J.W. Silveira  
C/o Virginia Tracy  
J.W. Silveira Realty  
499 Embarcadero  
Oakland, CA 94606

Subject: Fuel Leak Case No. [REDACTED] Mel Senna Brake Service, 2301 East 12<sup>th</sup> Street,  
Oakland, CA

Dear Mr. Silveira:

In correspondence dated January 31, 2006, Alameda County Environmental Health (ACEH) requested a Work Plan for soil and water investigation at the above-referenced site by April 10, 2006. To date, we have not received a Work Plan or an additional request for time extension. Additional work is needed at the site due to the elevated concentrations of petroleum hydrocarbons and VOCs that remain in soil and groundwater at the site. We reiterate the request made in our January 31, 2006 correspondence to conduct the additional requested work.

Your soil and water investigation Work Plan is late, and your fuel leak site is not in compliance with ACEH directives. In order for your site to return to compliance, please **submit the previously requested Work Plan by June 30, 2006**. This date is not an extension of your due date, reports for this site are late and your site is out of compliance. ACEH makes this request pursuant to California Health & Safety Code Section 25296.10, 23 CCR sections 2652 through 2654, and 2721 through 2728 outline the duties of a responsible party in response to a reportable unauthorized release from a petroleum UST system, and require your compliance with this request.

If it appears as though significant delays are occurring, or reports are not submitted as requested, we will consider referring your case to the County District Attorney or other appropriate agency, for enforcement. California Health and Safety Code, Section 25299.76 authorizes ACEH enforcement including administrative action or monetary penalties of up to \$10,000 per day for each day of violation. Please note that further delays in investigation, late reports, or enforcement actions may result in your becoming ineligible to receive cost reimbursement from the State's Underground Storage Tank Cleanup Fund.

If you have any questions, please call me at (510) 567-6791.

Sincerely,

Jerry Wickham  
Hazardous Materials Specialist

J.W. Silveira  
May 30, 2006  
Page 2

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Shari Knieriem  
SWRCB-USTCF  
P.O. Box 944212  
Sacramento, CA 94244

Penny Wilson  
Tetra Tech EM, Inc.  
135 Main Street, Suite 1800  
San Francisco, CA 94105

Donna Drogos, ACEH  
Jerry Wickham, 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

January 31, 2006

J.W. Silveira  
C/o Virginia Tracy  
J.W. Silveira Realty  
499 Embarcadero  
Oakland, CA 94606

Subject: Fuel Leak Case No. RO0000387, Mel Senna Brake Service, 2301 East 12<sup>th</sup> Street, Oakland, CA

Dear Mr. Silveira:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above-referenced site, including the documents entitled, "Tier 1 Screening Level Human Health Risk Assessment," "Additional Site Characterization Report," and "Draft Evaluation of Remedial Alternatives." The "Draft Evaluation of Remedial Alternatives," identifies and evaluates remedial alternatives for the site; however, no site cleanup has been conducted to date. Groundwater sampling has apparently not been conducted at the site since 2001. The most recent groundwater monitoring report in ACEH files is dated May 2000. During the May 2000 groundwater sampling event, total petroleum hydrocarbons (TPH) as gasoline were detected at concentrations up to 14,000 micrograms per liter ( $\mu\text{g/L}$ ), TPH as diesel was detected at concentrations up to 6,900  $\mu\text{g/L}$ , and benzene was detected at concentrations up to 970  $\mu\text{g/L}$ . In addition to petroleum hydrocarbons, volatile organic compounds (VOCs) have been detected in groundwater throughout the site. Trichloroethene has been detected in groundwater at concentrations up to 160  $\mu\text{g/L}$ . Vinyl chloride has been detected in groundwater at concentrations up to 130  $\mu\text{g/L}$ . Soil and groundwater contamination from your site extends beneath 23<sup>rd</sup> Avenue to the property on the opposite side of 23<sup>rd</sup> Avenue.

Additional work is needed at the site due to the elevated concentrations of petroleum hydrocarbons and VOCs that remain in soil and groundwater at the site. We request that you address the following technical comments, perform the proposed work, and send us the reports described below.

**TECHNICAL COMMENTS**

1. **Human Health Risks Due to Vapor Intrusion.** Human health risks due to potential indoor vapor intrusion have not been fully evaluated for the site. Please present plans (including soil gas sampling) in the Work Plan requested below to evaluate the potential for indoor vapor intrusion.
2. **Extent of Groundwater Contamination.** The extent of groundwater contamination has not been defined to the west and southwest. The regional groundwater flow direction in the area of the site is to the west and southwest, towards San Francisco Bay. The use of depth-discrete groundwater samples to define plume extent is to be considered. Please present



plans to define the off-site extent of groundwater contamination in the Work Plan requested below.

3. **Preferential Pathways and Well Survey.** Please evaluate whether any potential preferential pathways may exist at the site. The preferential pathway study shall include a well survey of all wells (monitoring and production wells: active, inactive, standby, decommissioned (sealed with concrete), abandoned (improperly decommissioned or lost); and dewatering, drainage, and cathodic protection wells) within a 1/2-mile radius of the subject site. Please review historical maps such as Sanborn maps, aerial photos, etc., when performing the background study. Submittal of map(s) showing the location of all wells identified in your study, and the use of tables to report the data collected as part of your survey are required. Include appropriate prints of historic aerial photos used as part of your study. Refer to the Regional Board's guidance for identification, location, and evaluation of potential deep well conduits when conducting your preferential pathway study. Please identify any sensitive receptors near the site. The evaluation of preferential pathways and well survey are to be included in the Work Plan requested below
  
4. **Groundwater Monitoring.** Groundwater monitoring has apparently not been conducted at the site since 2001. Please sample the existing monitoring wells at the site on quarterly basis. The water samples are to be analyzed for TPHg and TPHd by EPA Method 8015M or 8260, BTEX, chlorinated hydrocarbons, ethylene dibromide, and 1,2-dichloroethane by EPA Method 8260. Please present the results in the Quarterly Monitoring Reports requested below.

#### **TECHNICAL REPORT REQUEST**

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

- **April 10, 2006** – Work Plan
- **April 17, 2006** - Quarterly Monitoring Report for the First Quarter 2006
- **July 17, 2006** - Quarterly Monitoring Report for the Second Quarter 2006

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**

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. 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.

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. Submission of reports to the Geotracker website does not fulfill the requirement to submit documents to the Alameda County ftp site. 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 monitor wells, and other data to the Geotracker database over the Internet. Beginning July 1, 2005, electronic submittal of a complete copy of all necessary reports was required in Geotracker (in PDF format). Please visit the SWRCB website for more information on these requirements ([http://www.swrcb.ca.gov/ust/cleanup/electronic\\_reporting](http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting)).

In order to facilitate electronic correspondence, we request that you provide up to date electronic mail addresses for all responsible and interested parties. Please provide current electronic mail addresses and notify us of future changes to electronic mail addresses by sending an electronic mail message to me at [jerry.wickham@acgov.org](mailto:jerry.wickham@acgov.org).

#### 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.

J.W. Silveira  
January 31, 2006  
Page 4

**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) 567-6791.

Sincerely,



Jerry Wickham  
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Penny Wilson  
Tetra Tech EM, Inc.  
135 Main Street, Suite 1800  
San Francisco, CA 94105

Donna Drogos, ACEH  
Jerry Wickham, ACEH  
File



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

April 28, 2005

Mr. J. W. Silveira c/o  
Ms. Virginia Tracey  
499 Embarcadero  
Oakland CA 94606

Re: Fuel Leak Case No. [REDACTED] Environmental Investigation at 2301 E. 12<sup>th</sup> St.,  
Oakland 94601

Dear Mr. Silveira:

It has come to our attention that you and/or your consultant have requested the review of the above subject site for closure. Please be advised that the following State Water Board "low risk" criteria must be met prior to your case being considered for closure. If you feel that your site meets the following state requirements for a "low risk" site, then submit a stand-alone document specified below for our office review.

LOW RISK requirements:

1. Leak stopped, on-going source, including free product removed
2. Site adequately characterized
3. Plume not migrating
4. No sensitive receptors impacted
5. No significant risk to human health
6. No significant risk to environment
7. Water quality objectives to be achieved within a reasonable time frame

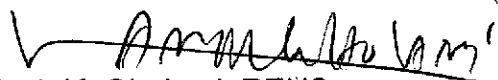
Please be advised that a **stand-alone document** must include a site conceptual model (SCM), which incorporates the following items:

- Summary Figures
  - Site vicinity map showing the site location and identification of any nearby sensitive receptors.
  - Plot plan showing all historical sampling locations. Differentiation between sample types (i.e. excavation soil samples, soil boring locations, monitoring wells, soil vapor sampling points, etc.) is required. This figure also needs to include any former and existing UST system components, delineation of excavation areas, areas targeted by active remediation, building locations, potential preferential pathways such as utilities, property boundaries and public right-of-way locations.

- Depth-specific contaminant isoconcentration maps for soil and groundwater. If active remediation was performed, separate pre-remediation and post-remediation isoconcentration maps are required.
- Summary Tables
  - Table of all historical soil data. Sample ID, date, depth, and results for all analytes are required. Please refer to the Tri-Regional Guidelines to confirm that chemical analysis was performed for all relevant contaminants of concern (CoCs). Pre- and post-remediation concentrations should be clearly identified or presented in separate tables.
  - Table of all historical groundwater data. Chemical concentrations in monitoring well(s) concentrations along with depth to water should be tabulated.
  - The tables need to compare the detected CoC concentrations with the Regional Board's ESLs or other appropriate cleanup levels and to the water quality objectives identified in the Regional Board's Basin Plan.
- Complete set of all boring logs generated during site investigation.
- Geologic cross-sections showing soil borings, monitoring wells with screened intervals, UST locations, any preferential pathways, excavation boundaries, water table elevations (historical and current) and extent of residual contamination.

The above stand-alone document will help to expedite the review of your case. Please contact Amir K. Gholami at 510-567-6876 or [amir.gholami@acgov.org](mailto:amir.gholami@acgov.org) to receive document samples to help you prepare the stand-alone document, if you are requesting a closure review.

Sincerely,



Amir K. Gholami, REHS

Hazardous Materials Specialist

C: D. Drogos, A. Gholami

Mr. H. Dawson, TTEMI, 135 Main St., Suite 1800, San Francisco, CA 94105

Mr. R. Shapiro, Shapiro, Buchman Provine & Patton, 1331 N. California Blvd., Suite 320  
Walnut Creek, CA 94596

Ro 367 ✓



**Tetra Tech EM Inc.**

135 Main Street, Suite 1800 ♦ San Francisco, CA 94105 ♦ (415) 543-4880 ♦ FAX (415) 543-5480

November 23, 2004

Amir Gholami  
Hazardous Materials Specialist  
Alameda County Health Care Services Agency  
Environmental Health Services  
1131 Harbor Bay Parkway, Suite 250  
Alameda, CA 94502-6577

**Subject: Review of Tier 1 Screening Level Risk Assessment for 2301 East 12<sup>th</sup> Street (StID#71), Oakland, CA**

Dear Mr. Gholami:

On behalf of our client, J. W. Silveira Company, we are inquiring on the status of the review of the "Tier 1 Screening Level Human Health Risk Assessment (HHRA) for 2301 East 12<sup>th</sup> Street in Oakland California. The Tier 1 Screening Level HHRA was submitted in September 2003. On July 31, 2004, we requested the status of the review but did not receive a response.

At this time, we would like to move forward with the site and would appreciate any input you have regarding the risk assessment.

If you have any questions or comments, please contact me at (415) 222-8283.

Sincerely,

Roy Glenn  
Tetra Tech EM, Inc.

cc: File  
Virginia Tracey, J. W. Silveira Company  
Shapiro, Buchman, Provine & Patton LLP, Attorneys at Law  
Penny Wilson, Tetra Tech EM, Inc.

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

February 26, 2001  
StID # 71

Mr. J. W. Silveira c/o  
Ms. Virginia Tracey  
499 Embarcadero  
Oakland CA 94606

**Re: Draft Evaluation of Remedial Alternatives for 2301 E. 12<sup>th</sup> St., Oakland 94601**

Dear Mr. Silveira:

Our office has received and reviewed the February 15, 2001 Draft Evaluation of Remedial Alternatives for the above referenced site prepared by Tetra Tech EM Inc. (TTEMI), your consultant. As you will recall, our office tentatively approved suspending groundwater sampling at this site in mid 2000 with the condition that active remediation be implemented at the site. It was acknowledged that groundwater conditions remain consistently elevated near the former waste oil and fuel tanks. Natural bio-remediation was not occurring, or at least it had not yet been observed. This Evaluation of Remedial Alternatives was done to determine the most cost effective and efficient remedial action. Keep in mind that some kind of confirmation monitoring is still required to verify the effectiveness of the remediation and demonstrate groundwater stability. Bi-annual monitoring, followed by annual monitoring is most likely needed prior to site closure consideration.

A risk assessment has not been done at this site, however, it appears that no immediate threat to human health or the environment exists. A Tier I Human Health Risk Assessment should be done to show this. Either the ASTM, Oakland RBCA or Regional Water Quality Control Board guidance document methodology can be used. It is assumed that the shallow groundwater beneath this site is not considered potable and no surface water or other sensitive receptors are being affected by the fuel release. Prior to any remediation, a baseline-monitoring event is necessary. It should also include appropriate testing to determine if the groundwater is considered potable. Using the Water Board guidance document, a total petroleum hydrocarbons cleanup level of 5000 parts per billion (ppb) is recommended.

The four remediation alternatives considered by TTEMI are: No Action ie monitoring only, excavation and off-site soil disposal, in situ chemical oxidation and in situ air sparging. Each approach is evaluated on the basis of overall protection of human health and environment, long and short term effectiveness and permanence, reduction in toxicity, mobility and volume, ability to be implemented and cost. Because of the lack of bio-remediation observed to date, the no action approach does not appear to be a realistic means for achieving site closure. Soil excavation and chemical oxidation have the drawback that there may be residual contamination not affected by this approach, which could not predict the length of groundwater monitoring. TTEMI, therefore, recommends in situ air sparging. This approach actually would include soil

Mr. J. W. Silveira  
Re: 2301 E. 12<sup>th</sup> St., Oakland 94606  
February 26, 2001  
Page 2.

excavation through the removal of some of the contaminated soil when installing a trench along the down-gradient perimeter of the site, vapor extraction from the removal of volatiles (gasoline) and enhanced bio-remediation from the air sparging process. Our office also recommends adding the capacity to remove groundwater by installing dual phase extraction wells, which could remove both volatile and non-volatile contamination.

In your formal feasibility study and corrective action plan, please include a Tier 1 Human Health Risk Assessment, a groundwater monitoring schedule and include comments and a cost estimate for the addition of dual phase extraction wells within the proposed extraction trench.

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

Sincerely,



Barney M. Chan  
Hazardous Materials Specialist

✓ C: B. Chan, files

Mr. H. Dawson, TTEMI, 135 Main St., Suite 1800, San Francisco, CA 94105

Mr. R. Shapiro, Shapiro, Buchman Provine & Patton, 1331 N. California Blvd., Suite 320  
Walnut Creek, CA 94596

FS-CAP2301E12



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

January 12, 2001

Mr. J. W. Silveira c/o  
Ms. Virginia Tracey  
499 Embarcadero  
Oakland CA 94606

**Re: Subsurface Investigations at Silveira Properties, 744 E. 12<sup>th</sup> St., 1200 20<sup>th</sup> Ave., and 2301 E. 12<sup>th</sup> St., Oakland CA**

Dear Mr. Silveira:

This letter serves to update you on the status of three of your properties regarding their on-going investigation of fuel releases from former underground storage tanks. I have also projected their likely future disposition based upon additional requirements from our office.

**744 E. 12<sup>th</sup> St., Oakland 94606, Former Harley Davidson site**

Tetra Tech EMI has just sampled the three wells at this site in December 2000. Assuming that sample results remain as they have in the past, a safe assumption, your consultant can request for site closure. Tetra Tech is asked to include a cumulative table of groundwater monitoring results in their next report.

**1200 20<sup>th</sup> Ave., Oakland 94606, Former W. Wurzbach Co.**

Groundwater contamination appears localized adjacent to the former underground tanks. Oxygen releasing compound (ORC) socks have been added to monitoring well MW-1 in the area of petroleum contamination to promote bio-remediation. Tetra Tech recommends groundwater monitoring be done after six months (to let the action of the ORC socks work). This monitoring change is acceptable. Please remove the socks from MW-1 one month before sampling to allow the groundwater to equilibrate. Should the gasoline and BTEX concentrations remain stable and low our office will proceed with recommending site closure.

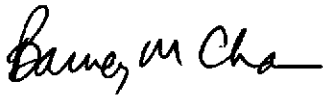
**2301 E. 12<sup>th</sup>, Oakland 94601, Former Senna Auto Parts**

Our office agreed to suspend groundwater sampling in mid 2000 on the condition that active remediation be done at this site. There has been free petroleum product found in wells at this site. An area just down-gradient of the former waste oil tanks has the most elevated Total Petroleum Hydrocarbons (TPH) in the gasoline, diesel and motor oil range. It is believed that if you focus on this area for remediation, the contaminant plume will slowly shrink and site closure can be achieved with either a deed notice or deed restriction. Tetra Tech has been requested to provide a feasibility study to study and choose the most reasonable remedial approach. This has been difficult due to the geology encountered, however, several approaches have been discussed with our office. It is recommended to test the groundwater for total dissolved solids and conductivity to establish whether the water is potable. **Please provide your feasibility study and a schedule for its implementation to our office within 30 days or no later than February 15, 2001.** Note further delay will require to reinstate groundwater monitoring.

Mr. J. W. Silveira c/o  
Ms. Virginia Tracey  
Underground Tank Sites  
January 12, 2001  
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, files

Mr. H. Dawson, Tetra Tech EMI, 135 Main St., Suite 1800, San Francisco, CA 94105  
Mr. R. Shapiro, Shapiro, Buchman Provine & Patton, 1331 N. California Blvd.,  
Suite 320, Walnut Creek, CA 94596

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December 12, 2000

email  
#71

Mr. Barney M. Chan  
Hazardous Materials Specialist  
Alameda County Health Care Services Agency  
Environmental Health Services  
1131 Harbor Bay Parkway, Suite 250  
Alameda, CA 94502-6577

Dear Barney:

I was out of the office at the end of last week with the annual flu – still a bit under the weather. Roy Glenn told me that you discussed with him last Thursday the idea of using the Regional Water Quality Control Board Risk-Based Screening Levels (RBSL) dated August 2000 to determine cleanup goals for the J. W. Silveira underground storage tank (UST) site at 2301 East 12<sup>th</sup> Street. We have obtained the RBSL tables and will be discussing them with David Liu in our office. He just attended a briefing (class) on these RBSLs last Thursday. He was out of the office yesterday, but is back in today so we can discuss the application of these tables with him. We are also looking into trying to prove that the groundwater at the site is unsuitable for potential drinking water purposes, which could be an arduous task.

Upon further review of the hydrogen peroxide injection process, we are becoming concerned that use of this process may not reduce the contaminant levels at the site to a point where the site can be closed. We briefly discussed the site with some of the scientists here at Tetra Tech EMI (TtEMI), and you have now related that the process netted mixed results, at best, at a different site (but similar to 2301 East 12<sup>th</sup> Street) that you oversee. The clayey and silty soil at 2301 East 12<sup>th</sup> Street may very well inhibit us from successfully cleaning up the site using this process. However, once we determine what the cleanup criteria will be for the site, we'll then be able to better scrutinize whether the hydrogen peroxide injection process is a viable option. The primary reason we opted to try it out in the first place is that it's the least invasive, and possibly the cheapest method of remediation.

One of the TtEMI biochemists offered up another suggestion, which is not as fast-acting as hydrogen peroxide injection, but could possibly prove effective. He suggested that rather than installing oxygen-releasing compound (ORC) socks in all of the wells at the site (which is one of the possible alternatives we didn't really discuss too much with you), we design a grid-like pattern throughout the plume and install ORC socks in numerous temporary borings (such as Geoprobe borings). This method leaves the wells open for sampling. The ORC sock company stated that one installation of socks lasts approximately 9 months, so the temporary borings would need to be opened for reinsertion of ORC socks about every 9 months. As far as we can tell, the only problem with this method is cost. ORC socks are relatively expensive.

is this feasible  
in the street?  
security issue.

On another note, the ORC socks for 1200 20<sup>th</sup> Avenue have arrived and are ready for installation in monitoring well (MW) number 1 (MW1). It's also time for the next groundwater sampling event at 744 East 12<sup>th</sup> Street and 1200 20<sup>th</sup> Avenue. We are scheduled to sample on Monday, December 18<sup>th</sup> for this event. We'd like to suggest that we skip this quarter of sampling at 1200 20<sup>th</sup> Avenue (and perhaps a couple of subsequent quarters) and simply install the ORC socks in MW1 since we have numerous years of data from the site that essentially show no net change in contaminant concentrations in MW1. Do you want another round of groundwater samples at 1200 20<sup>th</sup> Avenue prior to installation of the ORC socks in MW1, or can we just install the socks

need  
samples  
now &  
semi-  
annually  
purge/prior  
to sampling

in the well at this time? The socks will effectively work for approximately 9 months. We could either conduct quarterly sampling during this 9-month period, or wait the full 9 months and then sample. We'd like to hear your thoughts on this matter.

If you have any questions, please feel free to contact me at (415) 222-8316. We will call you to discuss ideas posed in this letter. Thank you for your help, Barney.

Sincerely,

Hal Dawson  
Project Manager

cc: J. W. Silveira Company  
Shapiro, Buchman, Provine, and Patton, LLP  
File

• Treatment area	6-7000	5000	5000
• cleanup level	5000ppm nitrate	✓	5000ppm
COCS	TPHg	TPHg	TPHg/d

**Chan, Barney, Public Health, EHS**

**From:** Dawson, Hal [SMTP:DAWSONH@ttemi.com]

**Sent:** Tuesday, December 05, 2000 2:53 PM

**To:** 'bchan@co.alameda.ca.us'

**Subject:** Feasibility Study

Hello Barney:

Roy Glenn and I just spoke about J. W. Silveira work - he's finishing up the feasibility study (FS) for the site at 2301 East 12<sup>th</sup> Street. The FS is a day late thus far and I wanted to give you an update on the status of things. We've hit a small wall that we feel we need your input on such that we can finish up the document.

Roy is coming up with some action level/remediation goal numbers today using Oakland RBCA and the Water Board water quality goals for guidance. We'll submit the FS to you as draft and if you don't agree with the numbers, we can hash them out for inclusion in the final version of the FS. So that's not holding us up too bad.

The issue we need to chat with you about is the actual size of the area of planned remediation/abatement. This very definitely has a bearing on the entire FS as the size of the area dictates the number of injection points. We did speak briefly about this when Roy and I visited you at your office. You sounded like you agreed with the idea of pretty heavily attacking the hottest portion of the plume on small grid nodes (say 1 to 3 foot grid nodes) rather than trying to inject hydrogen peroxide throughout the entire plume on much larger grid nodes (say 5 foot or larger grid nodes). As the injection contractor tells us, larger grid nodes in the type of soil we've got at 2301 East 12<sup>th</sup> Street won't be all that effective.

So the question really relates to what you need to see in order to recommend the site for closure. If we attack the hottest part of the plume (around MW-2), we'll be mitigating (hopefully) the source at it's primary location. However, based on the hydraulic conductivity of the soil at the site, even if we're wholly successful around MW-2 (as can be shown with post-injection soil samples and MW-2 groundwater sample analysis), the effects of the abatement won't show up in MW-4 and MW-5 groundwater for literally years. Thus, the question: If pre- and post-injection soil and groundwater data around MW-2 show that the source concentrations have been reduced to whatever our remediation goals turn out to be, is that enough data to recommend closure for the site? By getting rid of the hottest part of the plume, does the Water Board typically concur that natural attenuation will gain a foothold and the plume will reduce in concentration over time? Or, conversely, if we're wholly successful around MW-2, will the site still need to be monitored for another 10 or 20 years until MW-4 and MW-5 start showing lower concentrations?

Our initial plan was to inject in a fairly sizeable area (within the approximate perimeter of the orange plume [5,000 ug/L] isopach on Figure 4 - "Gasoline in Groundwater" - from the Additional Site Characterization Report). Based on discussions with the injection subcontractor, their costs have gone up and an area of this size is going to cost a fair penny (\$55 to \$80K). If we scale back in the interest of cost, and concentrate more on the pink and red (6,000 and 7,000 ug/L) portions of the plume, the money end of things certainly gets more reasonable. However, not if the resultant data is insufficient (not from a broad enough area) to gain site closure.

So - all the long-winded verbiage aside, the basic question is whether cleaning up successfully around MW-2 is sufficient for site closure?

I just heard your voice message to Roy from last week (Roy walked in and played it for me). It sounds like the mixed results from the Penske site don't necessarily bode badly for 2301 East 12<sup>th</sup> Street. I have a gut feeling that injecting a whole LOT of hydrogen peroxide around the MW-2 area would be fairly successful...but just in that immediate area.

We'll give you a call Barney and see what your thoughts are on this. We're hoping to establish some goals with you so we can complete the FS. Goals regarding how broad of an area we need

We'll give you a call Barney and see what your thoughts are on this. We're hoping to establish some goals with you so we can complete the FS. Goals regarding how broad of an area we need to concentrate on for injection purposes, and goals regarding how much data will be sufficient to attain site closure.

Thanks Barney,

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

November 2, 2000  
StID # 71

Mr. J. W. Silveira c/o  
Ms. Viginia Tracey  
499 Embarcardero  
Oakland CA 94606

**Re: Subsurface Investigation at 2301 E. 12<sup>th</sup> St., Oakland CA 94601**

Dear Mr. Silveira:

This letter recounts my meeting today with your consultants from Tetra Tech EMI. A number of items were discussed including the history of environmental work, the status of soil and groundwater contamination, report requirements and future remediation options. I would like to summarize the items discussed and the requirements associated with these items.

- As you will recall, our office agreed to allow annual monitoring at the site as long as appropriate remediation was performed. The first of the annual monitoring events occurred in May of this year. This report, I understand, confirmed groundwater contamination at levels consistent with past results. Therefore, remediation will be required. Your consultant was waiting for information to use in the monitoring report, however, it appears that the report is nearly complete. **Please provide the groundwater monitoring report within the next 10 days.**
- Although we discussed a potential remediation approach during the meeting, you are requested to include a feasibility study along with your remediation work plan. **Please submit your work plan within 30 days or no later than December 4, 2000.** Your work plan should include an estimation of the area of soil and groundwater impact, identification of the chemicals of concern and the details of the proposed remediation ie permit requirements, treatment locations, confirmation sampling and cleanup goals. **Please plan to expedite your work plan to have it in place prior to your next annual monitoring event ie May 2001.**

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. H. Dawson, Tetra Tech EMI, 135 Main St., Suite 1800, San Francisco, CA 94105  
Mr. R. Shapiro, Esq. Shapiro Buchman Provine & Patton LLP, 1331 N. California Blvd.,  
Suite 320, Walnut Creek, CA 94596

Req2301E12

# Fax

**To:** Barney M. Chan

**From:** Roy Glenn

**Fax:** 510-337-9335

**Pages:** 2

**Phone:** 510-567-6700

**Date:** 10/19/00

**Re:** StID # 71

**CC:**

Barney,

This fax contains a letter requesting information of J.W. Silveira site at 2301 East 12<sup>th</sup> Street, in Oakland, from your files. I apologize for the rush to gather this information with such a short notice. Hal Dawson is currently out of town and will be returning on October 30<sup>th</sup>, and I will be out of the state from October 23<sup>rd</sup> to the 30<sup>th</sup> also. Hal has informed me that you would like a meeting on November 2<sup>nd</sup> to discuss remediation of 2301 East 12<sup>th</sup> Street. Please give me a call to discuss a way so that I can get the data that is needed to finish the report.

Roy



**Tetra Tech EM Inc.**

135 Main Street, Suite 1800 ♦ San Francisco, CA 94105 ♦ (415) 543-4880 ♦ FAX (415) 543-5480

October 19, 2000

Site ID # 71

Mr. Barney M. Chan  
Hazardous Materials Specialist  
Alameda County Health Care Services Agency  
Environmental Health Services  
1131 Harbor Bay Parkway, Suite 250  
Alameda, CA 94502-6577

**Subject: Request for Additional Information for Site Located at  
2301 East 12<sup>th</sup> Street, Oakland, California**

Dear Mr. Chan:

I need your help in locating the survey data for the top-of-casing elevations for monitoring wells MW-1 to MW-6 located at 2301 East 12<sup>th</sup> Street in Oakland. In a report titled Quarterly Monitoring Report for Site Located at 2301 East 12<sup>th</sup> Street, Oakland, Second Quarter 1995, dated July 18, 1995, it states that the top-of-casing elevations were resurveyed during that quarter. The report does not state the resurveyed casing elevations. This information is needed to calculate the groundwater gradient and direction at the site for the previous groundwater sampling event. We previously had the data but cannot locate it at this time.

I also do not have the boring logs and soil sampling data for monitoring wells MW-4, MW-5, and MW-6. This data is needed for the remediation cross-sections that are being drawn to show the location of soil contamination at the site.

I will make the time to be available all day Friday, October 19<sup>th</sup>, to visit your office and copy the information that is needed. Or if you prefer, the information can be faxed to my office at (415) 543-5480. It would be nice to get this data by tomorrow so I can get the May Groundwater Sampling Report in the mail by Monday. Please feel free to contact me at (415) 222-8283 or you can even page me at (916) 720-4775.

Sincerely,

A handwritten signature in black ink, appearing to read 'Roy Glenn', with a long horizontal line extending to the right.

Roy Glenn

cc: Virginia Tracey, J.W. Silveira Company  
Shapiro Buchman Provine & Patton LLP  
Hal Dawson, TtEMI  
file



# State Water Resources Control Board



Gray Davis  
Governor

## Division of Clean Water Programs

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

ENVIRONMENTAL  
PROTECTION

00 JUN 21 AM 9:44

Winston H. Hickox  
Secretary for  
Environmental  
Protection

R0387

June 14, 2000

Ms. Virginia Tracey  
J.W. Silveira Company  
499 Embarcadero  
Post 1, Box 13  
Oakland, CA 94606

**PRE-APPROVAL OF CORRECTIVE ACTION COSTS, CLAIM NO. 10290,  
SITE ADDRESS: 2301 EAST 12<sup>TH</sup> STREET, OAKLAND**

I have reviewed your request, received on May 15, 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.

Regretfully, I must deny your request at this time since your pre-approval appears to be for two other sites in addition to the site mentioned above. Please submit for costs that pertain only to 2301 East 12<sup>th</sup> (and/or, provide breakdown of costs for each site, as opposed to a collective sum for all three); it appears you need to submit applications to the Fund for the other two.

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

April 14, 2000  
StID # 71

Mr. J.W. Silveira c/o  
Ms. Virginia Tracey  
499 Embarcadero  
Oakland CA 94606

**Re: Former Underground Tank Site, 2301 E. 12<sup>th</sup> St., Oakland CA 94601**

Dear Mr. Silveira:

Our office has received and reviewed the recently submitted Tetra Tech EM Inc. (TTEMI) report for the above site. This report includes the results of the off-site borings and the April 1999 groundwater sampling of the existing wells. As you are aware, this work is part of the investigation of the petroleum hydrocarbon release from the former gasoline, diesel and waste oil tanks at this site. Based upon the results of these investigations, your consultant has made the following recommendations:

- Reduce monitoring from quarterly to an annual schedule. **Please specify when the annual monitoring will occur.**
- Preparation of an iso-concentration map of soil and groundwater contamination
- Perform a pilot study at the site testing the efficacy of hydrogen peroxide injection and
- If the pilot study is positive, prepare a work plan to treat the identified "hot" spots at the site.

**Our office concurs with these recommendations. Please submit a report including the iso-concentration maps, a description of the pilot study and a schedule for performing this study to our office within 30 days or no later than May 31, 2000.**

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

Sincerely,

Barney M. Chan  
Hazardous Materials Specialist

*J.* B. Chan, files

Mr. H. Dawson, Tetra Tech EMI, 135 Main St., Suite 1800, San Francisco, CA 94105  
Wp2301E12

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



ENVIRONMENTAL HEALTH SERVICES

ENVIRONMENTAL PROTECTION

1131 Harbor Bay Parkway

Alameda, CA 94502-6577

(510) 567-6700

(510) 337-9432

February 10, 2000  
StID #71, 2957,4868

Mr. J. W. Silveira c/o  
Ms. Virginia Tracey  
499 Embarcadero  
Oakland CA 94606

**Re: Former Underground Storage Tank Sites; 2301 E. 12<sup>th</sup> St., 744 E. 12<sup>th</sup> St. and  
1200 20<sup>th</sup> Ave., Oakland, CA**

Dear Ms. Tracey:

This letter updates you on the progress and status of the environmental investigations being performed on your behalf by Tetra Tech EM Inc. It further comments on the February 8, 2000 e-mail letter sent to me by Mr. Hal Dawson of Tetra Tech.

Based on past discussions and e-mail messaged from our office and Tetra Tech, it is believed that we have reached an understanding on the requirements and likely future of the three referenced sites. Tetra Tech wanted to discuss their recommendations with our office prior to finalizing the monitoring reports. **Please submit final monitoring reports to our office within 15 days or no later than February 29, 2000.**

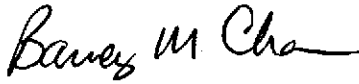
In regards to the above sites, our office has the following comments:

- For 744 E. 12<sup>th</sup> St., it is assumed that this site will be considered for closure after completing four quarters of groundwater monitoring.
- For 1200 20<sup>th</sup> Ave., our office believes that some type of remediation will be required given the elevated gasoline and BTEX concentrations being detected in MW-1. At a minimum, your consultant is considering adding oxygen-releasing compound (ORC) socks into this well in enhance bio-remediation. Long term monitoring will be required to verify the effectiveness of this approach. If groundwater contamination is remediated in this well, the boring within the building may not be required. To hasten the investigation, you may choose to advance the boring prior to the completion of ORC application.
- For 2301 E. 12<sup>th</sup> St., our office has received and reviewed an e-mail letter from Tetra Tech offering several remedial approaches for the site. At this time, the only approach our office is not considering is the assumption that natural attenuation has reduced concentrations to acceptable levels. Our office still believes there is considerable petroleum within soil and groundwater. Please provide an iso-concentration map for residual soils at this site. It is believed that once the highest impacted areas are identified, treatment of these areas would hasten the attenuation of contaminant concentrations. This treatment could include the injection of peroxide solution as discussed by Tetra Tech, however, a pilot study is recommended to verify its feasibility.

Mr. J.W. Silveira  
StID # 71, 2957 & 4868  
February 10, 2000  
Page 2.

I hope this clarifies the status of these sites. Please contact me at (510) 567-6765 if you have any questions.

Sincerely,



Barney M. Chan  
Hazardous Materials Specialist

C: B. Chan, files

Mr. H. Dawson, TetraTech EMI, 135 Main St., Suite 1800, San Francisco, CA 94105

Stat-JWSilveira

**Chan, Barney, Public Health, EH**

**From:** Dawson, Hal [SMTP:DAWSONH@ttemi.com]  
**Sent:** Tuesday, February 08, 2000 9:59 AM  
**To:** 'bchan@co.alameda.ca.us'  
**Subject:** Quarterly Sampling

#71

Hello Barney,

We'll be conducting quarterly groundwater sampling at 744 East 12<sup>th</sup> Street and 1200 20<sup>th</sup> Avenue in Oakland for J. W. Silveira Co. tomorrow (Wednesday). Drop on by if you get a chance, we'll be at one or the other of the sites all day.

Well, now that FastTech has reviewed the site data for possible hydrogen peroxide injection at 2301 East 12<sup>th</sup> Street, they're a bit skeptical about how successful their remedial technology will be because of the clays at the site. Barney, have you seen this technology used to your satisfaction in similar soils in Oakland? They can target discontinuous sand and gravel layers, but remediation of the clay is difficult, at best. I don't know if I want to recommend this to Silveira Co. unless there's a fair chance of success. FastTech's proposal assumes injection throughout the entire former UST area on 2- to 4-foot centers. If the clay will render the peroxide solution relatively useless throughout much of this area, I wonder if it might not be a better idea to simply concentrate on the hottest area of the plume, around MW-2...and maybe around MW-1. Hit these areas hard with a lot of peroxide on much smaller centers (less than 1/2-foot centers).

As it appears the plume at this site has reached a relatively steady state (it's not getting worse, but it's not getting better), what are your thoughts on (1) collecting a few pre-remediation soil samples from the hottest areas (or possibly even using the monitoring well boring soil sample analyses) to determine how much soil contamination is present, (3) injecting peroxide at these areas, and (4) collecting post-remediation soil samples from the treated areas? If we show some decent improvement in contaminant concentrations at these locations, that should help prove that the source of the plume has at least decreased in concentration, since complete remediation sounds like a bit of a pipe dream. I'd very much appreciate your input on this site...it's a tough one!

*This is a reasonable alternative to excavation.*

One of our UST managers had another entirely different thought I'd like to run by you just for kicks. He says that using Lawrence Livermore's natural attenuation report, one should be able to postulate that the plume at the site is as big as it's going to get. It has reached a steady state, as shown by the 7 years of groundwater sampling, and due to natural attenuation, contaminants won't travel further away from the source than they already have. The idea he has to prove this postulation is to (1) discontinue groundwater sampling in the existing wells (we've got enough data to document groundwater conditions within the plume), (2) conduct soil and groundwater sampling in borings at the northern end of the plume to determine its northern extent, and (3) install say 2 wells just north of the northern extent of the plume for monitoring. Then, if 5 years of once-a-year sampling show that the plume has not reached these wells, one could indeed say that natural attenuation is occurring and that the plume will decrease in concentration over time. Of course the source is not addressed using this method, but the argument against direct remediation of the source is that the groundwater is not potable and will not ever be used as a drinking water source. It's a good thought, perhaps worth discussing. Please also let me know your thoughts on this.

OK Barney, perhaps we'll see you tomorrow. If not, I'll call you to discuss these ideas. Thank you.

Hal Dawson

- Need a soil isocentration map / are soils sat'd w/TPH?
- is F.P. still an issue?

**Chan, Barney, Public Health, EH**

**From:** Chan, Barney, Public Health, EH  
**Sent:** Thursday, November 18, 1999 11:42 AM  
**To:** 'DawsonH@ttemi.com'  
**Subject:** JW Silveira sites

Dear Mr. Dawson:

I have reviewed the three draft reports you provided me last week. I have the following observations and comments. Please give me a call to discuss the sites when you have a chance to review this letter. Sincerely, Barney Chan, (510) 567-6765

744 E. 12<sup>th</sup> St., Oakland 94606 Former Harley Davidson site, #2957

My concerns were stated in my November 2, 1999 letter to Ms. Tracey. I copied Roy Glenn of your office. Let me know if you need a copy of this letter. Basically, I'm recommending continuing groundwater monitoring and a closer evaluation of the fate of the MTBE. This evaluation can wait until you get the additional quarterly monitoring results.

1200 E. 20<sup>th</sup> Ave., Oakland 94606 , site # 4868

An additional figure should be provided indicating the benzene soil concentrations. The chain of custody documents as well as the analytical reports should be in an easier to read format. The lab number, Tetra Tech's corresponding identification numbers and the sample description should be provided in an easier to follow format. I also noticed that the chain of custody and analytical reports included data from the other Silveira site (2301 E. 12<sup>th</sup> St.) site 1. I agree that an additional data point is necessary within the existing building. Both soil and groundwater samples should be taken for chemical analysis. I would further recommend remediation of groundwater from MW-1. ORC socks may be appropriate since there appears to be localized contamination. Before closure, there must be an indication that natural bio-remediation is occurring and hydrocarbon concentrations have equilibrated. Therefore, remediation should be done as soon as possible. Please submit the report under the signature of your registered professional.

2301 E. 12<sup>th</sup> St., Oakland 94601, site # 71

The analytical data has the same "problems" as the other site. The data is hard to follow without an easy correlation from lab #, to TetraTech #, and to the sample description. It appears that the report is missing a table for the results of the grab groundwater samples from SB1-6.

Should also have a figure illustrating the concentration profile for benzene.

Table 1 (VOC and TPH in GW) , I believe has errors in the results for SB-6 and the TPH value under SB-6 doesn't exist. It's SB-5 results duplicated.

The chlorinated solvents must also be addressed. These can be evaluated against Oakland RBCA numbers assuming that groundwater is not potable and MCLs are not appropriate. Free product (noted in MW-2) must be removed.

Appears that no off-site sources have been identified. The next step is the evaluation of remediation options. Groundwater and soil vapor extraction tests would be reasonable. The proposed groundwater extraction test from EW-1 has never been done.

Groundwater monitoring must continue. If you would like to change the frequency of monitoring, please provide a proposal. Until the source has been reduced, risk assessment should not be done. Please include these items in your recommendation section and send under the signature of your registered professional.

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)

September 28, 1999  
StID 71, 4868, 2957

Mr. J. W. Silveira c/o  
Mr. Virginia Tracey  
499 Embarcadero  
Oakland, CA 94606

**Re: Request for Technical Reports for 2301 E. 12<sup>th</sup> St., 1200 20<sup>th</sup> Ave. and 744 E. 12<sup>th</sup> St.,  
Oakland CA**

Dear Mr. Silveira:

Our office has been providing regulatory oversight for the three sites referenced above which you own. Tetrattech EM Inc. has been performing subsurface investigations at these sites and informing our office of their progress. We have also been provided verbal and draft results of soil and groundwater results for the sites. I believe that the investigations were completed in mid-August. Your reports should include an interpretation of results and recommendations for the next stage of investigation or actions leading to closure.

Please submit the investigation report for the above three sites to our office **within 30 days or no later than October 29, 1999.**

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. Hal Dawson, Tetra Tech EM Inc., 135 Main St., Suite 1800, San Francisco, CA 94105  
Mr. R. Shapiro, 1331 N. California Boulevard, Suite 320, Walnut Creek, CA 94596  
Reps-2301E12etal



HAZARDOUS WASTE GENERATOR INSPECTION REPORT

STID #: 71	FACILITY NAME: former Senna Auto Parts	PG. _____	OF _____
SUPPLEMENTAL FORM 2301 E12th St.			

Onsite @ ~ 11<sup>15</sup> am, working on 2nd of 2 hydro-punch borings located w/i work bays. Planned today as the 3 borings offset in park area north of site & one boring on the east side of E12th - (GW) encountered @ ~ 12' bsp. & rises to ~ 8'

8/10/99 Witness geoprobe boring on east side of E12th adjacent to City of Oakland maintenance building. Spoke w/ Mr. Wong, he said he recalled that the USTs were formerly under the canopy & have been removed. No obvious soil or GW petroleum odors in boring

The boring @ 1220 20th Ave did not encounter GW nor were there obvious signs of contamination. Decided to wait to see if the add'l boring w/i building is necessary. Should discuss note in house. Beha-

PRINT NAME:

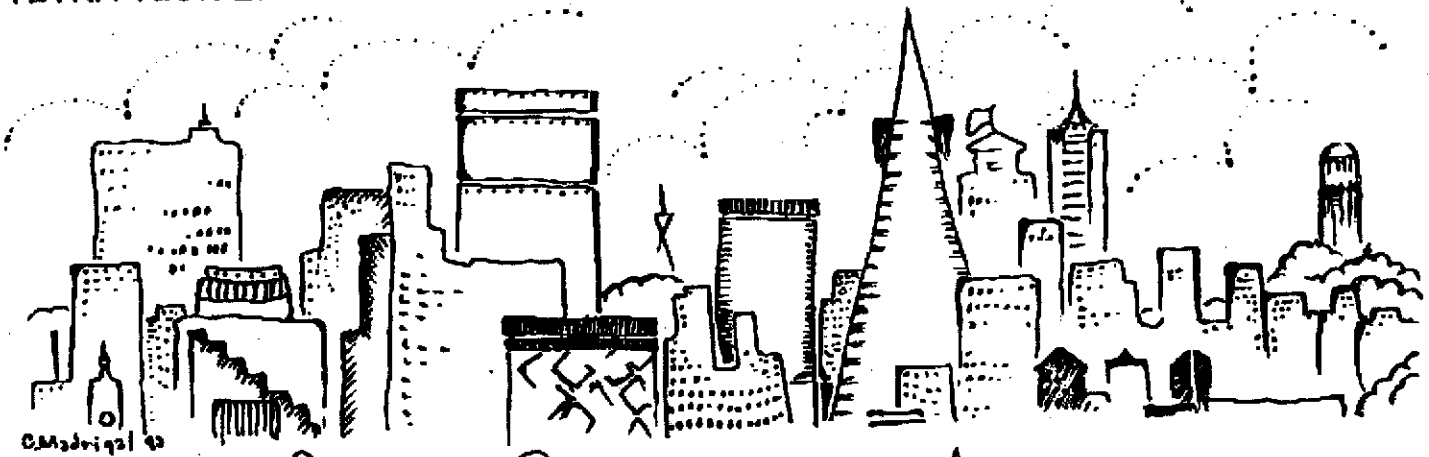
INSPECTED BY: BOLTAN

SIGNATURE:

DATE: 6/28/99

TETRA TECH EM INC.

FAX TRANSMITTAL



To BARNEY CHAN  
 Location ALAMEDA  
 From HAL DAWSON  
 Phone No. (415) 222-8316  
 Charge No. 999 ASF

Company ACHS  
 FAX No. (510) 337 9335  
 Telephone (510) 567 6700  
 Date 5/11/99

No. of  
 PAGES  
 1

Comments

Hi Barney:

I spoke with you a week or so ago about the upcoming intrusive investigation work at the 3 J.W. Silveira properties in Oakland (2301 East 12<sup>th</sup> Street, 1200 20<sup>th</sup> Avenue, and 744 East 12<sup>th</sup> Street). You asked me for a schedule to let you know when we'll be sampling at each site. The plan is to conduct Geoprobe sampling on Monday and Tuesday, May 17 and 18, 1999, and to drill and install monitoring wells on Wednesday, May 19, 1999.

Thus, on Monday, May 17, 1999, we will be working with the Geoprobe at 2301 East 12<sup>th</sup> Street and 1200 20<sup>th</sup> Avenue. On Tuesday, May 18, 1999, we will be working with the Geoprobe at 1200 20<sup>th</sup> Avenue and 744 East 12<sup>th</sup> Street. On Wednesday, May 19<sup>th</sup>, we will be working with the drill rig at 744 East 12<sup>th</sup> Street.

I'll be on my honeymoon, so Roy Glenn from TtEMI will oversee the intrusive investigation field work. He will likely be working with one other person from our office as well.

Thanks Barney.

Sincerely,  
*Hal Dawson*

TETRA TECH EM INC.

FAX TRANSMITTAL



EMadriqal 43

To Barney M. Khan

Location Alameda

From Hal Dawson

Phone No. (415) 222-8316

Charge No. 999 ASF

Company AS

FAX No. (510) 563-6300

Telephone (510) 563-6300

Date 3/12/99

Comments

#71/4868/2957

Hello Barney:

Thank you for the comments regarding the work plans for the J. W. Silveira Company properties. In reference to your last comment, I've attached a letter from Mr. Rik Lantz, a Tetra Tech EM Inc. registered geologist who will oversee the work.

Thanks again Barney.

Hal Dawson

P.S. - I've sent a hard copy of the letter to you in the mail.

Hal

Tetra Tech EM Inc. • 135 Main Street • Suite 1800 • San Francisco • CA 94105  
Telephone (415) 543-4880 FAX (415) 543-5480



## Tetra Tech EM Inc.

135 Main Street, Suite 1800 ♦ San Francisco, CA 94105 ♦ (415) 543-4880 ♦ FAX (415) 543-5480

ENVIRONMENTAL  
PROTECTION

MAR 16 PM 2:38

March 12, 1999

Mr. Barney M. Chan  
Alameda County Health Care Services Agency  
Environmental Health Services  
1131 Harbor Bay Parkway, Suite 250  
Alameda, CA. 94502-6577

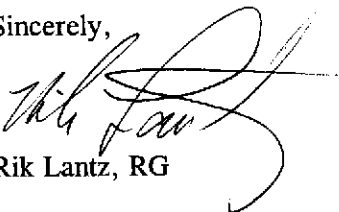
**Subject: Professional Oversight for Work to be Conducted at Three J. W. Silveira  
Company Properties in Oakland, California.**

Dear Mr. Chan:

As a Tetra Tech EM Inc. (TtEMI) employee and a registered geologist in the State of California, I will oversee the work to be conducted under the "Work Plans for Additional Site Characterization at 2301 East 12<sup>th</sup> Street, 744 East 12<sup>th</sup> Street, and 1200 20<sup>th</sup> Avenue, Oakland, California" dated March 10, 1999, and any future work to be conducted by TtEMI at these three J. W. Silveira Company properties.

My State of California registered geologist number is 6356. If you have any questions, please call me at (415) 222-8325.

Sincerely,



Rik Lantz, RG

Chan, Barney, Public Health, EH

To: dawsonh@itemi.com

71

2957

4868

Subject: Review of work plans for 2301 E. 12th St., 744 E. 12th St. and 1200 20th Ave.  
Oakland, Mr. Silveira properties

March 11, 1999

Dear Mr. Dawson,

I have received and reviewed the work plans submitted along with your March 10, 1999 cover letter. I have the following comments:

- The work plan for 1200 20<sup>th</sup> Ave. is acceptable. Please be aware that the high TPHg and BTEX concentrations in MW-1 (Mar and July 1998) will need to be addressed in a risk evaluation regardless of the results of the hydropunches. Groundwater monitoring should also continue.
- The work plan for 2301 E. 12<sup>th</sup> St. is acceptable. Note that the parameters; dissolved oxygen, pH and oxidation-reduction potential should be done in the field, not in the laboratory.
- The work plan for 744 E. 12<sup>th</sup> St. is acceptable.
- Please inform our office at least 72 working hours prior to your field work so I may arrange to be present during some part of the work.
- Please make a formal written request c/o file review clerk to review the files for each of these sites. You may fax this to us at (510) 337-9335. Your future groundwater monitoring reports should include a cumulative table of all prior results. I assume you will not be able to get a copy of the prior Epigene reports.
- A statement regarding their oversight of this work plan and all future reports must be attached along with the signature and stamp of the overseeing registered professional.

Please contact me at (510) 567-6765 if you have any questions or email me at [bchan@co.alameda.ca.us](mailto:bchan@co.alameda.ca.us)

Sincerely,

Barney Chan,  
Alameda County Environmental Health

\* pls add Avocs  
method 8010.

# 2957

# 4868

SHAPIRO BUCHMAN PROVINE & PATTON LLP  
1331 North California Boulevard  
Suite 320  
Walnut Creek, California 94596  
Telephone: (925) 988-4988  
Facsimile: (925) 988-4986

## FACSIMILE COVER SHEET

TO:

Mr. Barney Chan  
ALAMEDA CO. HEALTH  
CARE SERVICES  
Environmental Protection (LOP)

FAX NO: 510/337-3338  
PHONE: 510/567-5700

FROM:

Robert W. Shapiro, Esq.

DATE:

February 19, 1999

FILE NO:

1016-89

RE:

J. W. Silveira-Local Oversight Program-Alameda Co.

NO. PAGES:

2 (including this page)

NOTES:

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# Shapiro Buchman Provine & Patton LLP

Attorneys at Law

Robert W. Shapiro, P.C.  
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Stephen R. Brown

Donald S. Honigman  
Basil J. Poutre  
Peter H. Dekker, P.C.  
Of Counsel

February 19, 1999

VIA FACSIMILE

Mr. Barney Chan  
Alameda County Health Care Services  
Environmental Health Services Division  
1131 Harbor Bay Parkway, Suite 250  
Alameda, California 94502-6577

Re: 2301 East 12th Street, Oakland, California  
744 East 12th Street, Oakland, California  
1200 20th Avenue, Oakland, California  
Our File No.: 1016-0088, -0089, -0098

Dear Mr. Chan:

As we discussed during our telephone conversation of Friday, February 5, 1999, we are in the midst of replacing Mr. Alt with a new consultant. We are currently in the process of choosing a new consultant. Once we do, we will move ahead with our agreed-upon plans and will provide you with a new timeline.

We apologize for any inconvenience. We are committed to proceeding as agreed upon.

Very truly yours,

SHAPIRO BUCHMAN PROVINE & PATTON LLP

Robert W. Shapiro

RWS:ltn  
cc: Client

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)

February 2, 1999  
StID # 71, 2957 and 4868

Mr. J. W. Silveira c/o  
Ms. Virginia Tracey  
499 Embarcadero  
Oakland CA 94606

**Re: Request for Technical Report for Underground Storage Tank Sites at 2301 E. 12<sup>th</sup> St., Oakland, 94601 and 744 E. 12<sup>th</sup> St. and 1200 20<sup>th</sup> Ave., Oakland CA 94606**

Dear Ms. Tracey:

During our meeting on October 16, 1998 at the County's offices, specific work and report submittal dates were committed to by you, Mr. Alt, your consultant and Mr. Shapiro. Mr. Alt, subsequently faxed our office work plans for the three referenced sites, reiterating the commitments to perform additional site investigation and submit the required reports. After review of these work plans, they were approved with minor changes. It was hoped that this would resolve the on-going problems with Mr. Silveira's sites. Unfortunately, to date, our office has not been notified of any action taken to perform the proposed work plans. We have not received any reports, either.

The following restates your commitments:

**2301 E. 12<sup>th</sup> St., Oakland 94601**

- Hard copies of all previously non-submitted groundwater monitoring reports were promised for this site and 1200 20<sup>th</sup> Ave. Reportedly, Mr. Alt had these reports in a locked file cabinet and was not able to bring them to the October meeting.
- The next monitoring event, scheduled for October 1998, would include both chemical analysis and the analysis for bio-remediation parameters. Should the results indicate a lack of oxygen, the wells would have oxygen releasing compound added to them.
- Hydropunch borings would be installed up-, down- and cross-gradient of the former underground tanks in order to define the extent of the contamination and identify any other sources of contamination.

The results of the monitoring were to be submitted and the subsurface investigation scheduled for the first quarter 1999.

**1200 20<sup>th</sup> Ave., Oakland 94606**

- As previously mentioned, hard copies of all non-submitted monitoring reports were to be delivered as soon as possible.
- Two hydropunch borings, one on Solano Ave. and one on 20<sup>th</sup> Ave. were to be advanced. Soil and groundwater samples were to be collected for analysis. This work was to be performed in November 1998 and a report of findings submitted by December 1998.

It should be noted that given the elevated concentrations of TPHg and BTEX in the report sheets for the July 1998 event, it would be advisable to measure the dissolved oxygen in the wells and consider the addition of oxygen releasing compound, if warranted.



Mr. J.W. Silveira  
LOP sites; #71, #4868, #2957  
February 2, 1999  
Page 2.

**744 E. 12<sup>th</sup> St., Oakland 94606**

- This site is the least characterized of the three. No work has been reported since the underground tank removal. To characterize this site and complete the tank removal sampling requirement, three monitoring wells and two hydropunch borings were proposed. I recommended minor changes in boring locations and sampling requirements. This investigation was to be completed in November 1998 and the report submitted by the end of December.

Because I requested to be notified prior to any field work, I presume no work has occurred. No reports have been submitted to our office. I recommend that you contact me immediately to update me on the status of these sites and provide all the requested reports.

This is a formal request for technical reports pursuant to Title 23 of the California Code of Regulations. The failure to submit the requested reports may subject Mr. Silveira with civil liability. The Water Board may also impose civil liability for the similar violation of the Water Code. The District Attorney Office is notified of these sites as a follow-up to the past pre-enforcement hearing.

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. J. Alt, Epigene International, 37161 Niles Blvd., Fremont, CA 94536

Mr. R. Shapiro, Esq., Shapiro Buchman LLP, 1331 North California Blvd., Suite 320  
Walnut Creek, CA 94596

Mr. Bob Chambers, Alameda County District Attorney Office, 7677 Oakport, Suite 400,  
Oakland CA 94621

2stat-Silveira

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

October 27, 1998  
StID # 71

Mr. J. W. Silveira c/o  
Ms. Virginia Tracey  
499 Embarcadero  
Oakland CA 94606

**Re: Work Plan for Additional Site Assessment for 2301 E. 12<sup>th</sup> St., Oakland CA 94601**

Dear Mr. Silveira:

Thank you for the submission of the October 16, 1998 work plan for additional site assessment at the above site, as prepared by Mr. J. Alf, of Epigene International. Our office received a fax copy of this report on October 26, 1998. This work plan follows the October 14, 1998 meeting at the County offices which included myself, Mr. Alf, Ms. Tracey and Mr. R. Shapiro

The work plan proposes the following items:

- Concurrent with the next monitoring report (expected late October 1998), groundwater samples from the existing wells will be analyzed for the bio-remediation parameters; dissolved oxygen, oxidation-reduction potential, nitrates, sulfates and iron +2.
- After verifying the need, existing wells will have oxygen releasing compound (ORC) socks installed in them. Should the wells need ORC, I recommend that it be placed in all monitoring wells except MW-4 and MW-5. These wells can be used to monitor the effect of the addition of the ORC.
- Three hydropunches will be installed in the park area, northwest and down-gradient of the former underground tanks. A groundwater and a soil sample from above groundwater will be collected for analysis. These samples will be analyzed for Total Petroleum Hydrocarbons as diesel and as gasoline, BTEX, MTBE and chlorinated solvents by EPA Method 8010. Should MTBE be detected, it should be verified by EPA Method 8240 or 8260. These samples will be used to determine the down-gradient extent of contamination. An additional hydropunch sample will be collected on the east side of E. 12<sup>th</sup> St. to assess whether there may be an off-site source impacting this site. Two more hydropunches will be advanced inside the building, up-gradient to the former underground tanks to assess whether an up-gradient source of contamination.

The groundwater monitoring inclusive of monitoring for bio-parameters and the addition of ORC socks to specific wells will be performed in the last quarter of 1998 while the subsurface investigations will be performed in the first quarter of 1999.

Mr. J. W. Silveira  
2301 E. 12<sup>th</sup> St., Oakland CA  
StID # 71  
October 27, 1998  
Page 2.

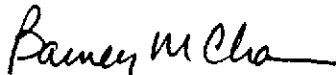
The reports for the groundwater sampling should be sent to our office within the first quarter of 1999. In addition, the entire monitoring report for the recent July 1998 sampling event should be sent to our office as soon as possible. We have received only a copy of the analytical results, not the entire report. In fact, our office has not received any hard copy monitoring reports for this site since 1996.

Mr. Alt has stated that the results of the prior pump test from the extraction well were not reliable, therefore, he was considering performing another test. Please clarify this situation to our office and also clarify if the enhanced bioremediation (addition of ORC) will be the recommended or supplemental corrective action.

Please contact me at least 72 working hours prior to this field work.

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

Sincerely,



Barney M. Chan  
Hazardous Materials Specialist

C: B. Chan, files

Mr. J. Alt, Epigene International, 347161 Niles Blvd., Suite B, Fremont CA 94536  
Mr. R. Shapiro, Esq., Shapiro Buchman LLP, 1331 North California Blvd., Suite 320  
Walnut Creek, CA 94596

Wpap2301

10/13/98

③ Mtz w/ J. Alt., V. Tracy, R. Shapiro  
2301 E 12<sup>th</sup> St. Senna Auto Parts

---

② 744 E 12<sup>th</sup> St. Harley Davidson

---

④ 1200 20<sup>th</sup> Ave - 2 hydroponics w/  
Warzback  
July 20, 1998  
- soil & GWS samples  
- agree on schedule  
- perform work by Nov. 30  
- submit report Dec 30. / if OK  
rec. closure

---

② 4. ~~hydroponics on each ends~~  
~~2 soil + 1 grab. GWS~~  
- 2 soil spls beneath piping  
5, BTEX & MTBE  
→ 3 wells + 1 boring

Schedule:

- Nov. 30 Complete field work
- Report by Dec 30, 1998

③ 2301 E. 12<sup>th</sup> St.

~8 HP -

- analyze bio parameters both up  
down & up heat of plume.  
add ORC.

- w.p. by next.

- actual work - next year.  
1<sup>st</sup> Apr. 99.

move HP box in middle of water  
to side walk in front of City site.

---

Need q'taly reports; to be submitted  
w/ wps next week.

SHAPIRO BUCHMAN LLP  
1331 North California Boulevard  
Suite 320  
Walnut Creek, California 94596  
Telephone: (925) 988-4988  
Facsimile: (925) 988-4986

## FACSIMILE COVER SHEET

**TO:** Mr. Barney Chan  
ALAMEDA CO. HEALTH  
CARE SERVICES  
Environmental Protection (LOP)  
**FAX NO.** 510/337-9335  
**PHONE:** 510/567-6700

**FROM:** Robert W. Shapiro, Esq.

**DATE:** October 6, 1998

**FILE NO:** 1016-89

**RE:** J. W. Silveira-Local Oversight Program-Alameda Co.

**NO. PAGES:** 2 (including this page)

**NOTES:** IMPORTANT CORRESPONDENCE

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# Shapiro Buchman LLP

Attorneys at Law

Robert W. Shapiro, P.C.  
Robert A. Buchman, P.C.  
Debra E. Keller  
David S. Wallace

Conference Center

44 Montgomery Street  
Nineteenth Floor  
San Francisco, CA 94104

Ann Marie De Die  
J. Erick Dimalanta  
Robert R. Neller  
Eric A. Newsom  
Christine L. Chase

Donald S. Honigman  
Basil J. Boutris  
Peter H. Dekker, P.C.  
Of Counsel

October 6, 1998

VIA FACSIMILE

Mr. Barney Chan  
Alameda County Health Care Services  
Environmental Health Services Division  
1131 Harbor Bay Parkway, Suite 250  
Alameda, California 94502-6577

Re: J.W. Silveira - Local Oversight Program - Alameda County  
Our File No.: 1016-0089

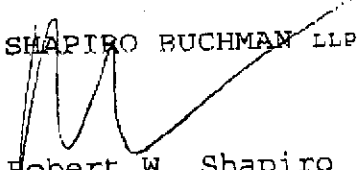
Dear Mr. Chan:

I understand that our meeting of this afternoon will be rescheduled. I propose that we meet at your office next Tuesday, October 13, 1998 at either 9:30 a.m. or 3:00 p.m. Please let me know as soon as possible which time is most convenient for you. I will then make the necessary arrangements for Mr. Alt and my client to attend as well.

Thank you in advance for your continuing cooperation with regard to this matter.

Very truly yours,

SHAPIRO BUCHMAN LLP

  
Robert W. Shapiro

RWS:ln

cc: Client

Mr. John Alt

1331 North California Boulevard, Suite 320, Walnut Creek, CA 94596  
Telephone (925) 988-4988 Facsimile (925) 988-4986  
e-mail address: info@sbllp.com

# Shapiro Buchman LLP

Attorneys at Law

Robert W. Shapiro, P.C.  
Robert A. Buchman, P.C.  
Debra E. Keller  
David S. Wallace

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44 Montgomery Street  
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Donald S. Honigman  
Basil J. Boutris  
Peter H. Dekker, P.C.  
Of Counsel

September 14, 1998

Mr. Barney Chan  
Alameda County Health Care Services  
Environmental Health Services Division  
1131 Harbor Bay Parkway, Suite 250  
Alameda, California 94502-6577

Re: J.W. Silveira - Local Oversight Program - Alameda County  
Our File No.: 1016-0089

Dear Mr. Chan:

I am in receipt of your letter of September 3, 1998. While I appreciate the concerns you outline in your letter, I am rather perplexed as to why you did not contact me directly with your concerns at the time I responded to your May 5, 1995 letter. You have been aware of our authorized representation of Mr. Silveira for several years. I would appreciate it if you would contact me directly with your concerns in the future.

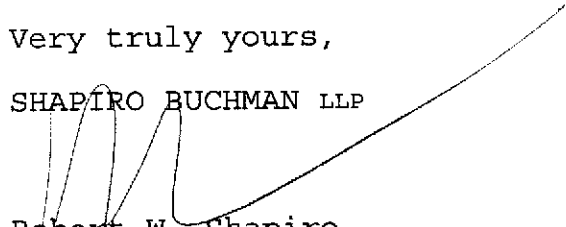
Please be advised that Mr. Alt's assertion that he has "not been paid for this work" is incorrect.

My client continues to intend to comply with the Local Oversight Program's requirements for these sites. Therefore, my client feels that any enforcement action brought by the District Attorney's Office would be premature and ultimately unnecessary in light of these apparent miscommunication issues.

Please give me a call to discuss this matter further. Thank you for your continuing cooperation with regard to this matter.

Very truly yours,

SHAPIRO BUCHMAN LLP

  
Robert W. Shapiro  
RWS:dxh  
cc: Client

1331 North California Boulevard, Suite 320, Walnut Creek, CA 94596  
Telephone (925) 988-4988 Facsimile (925) 988-4986  
e-mail address: info@sblp.com



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

September 3, 1998  
LOP Sites

Mr. Robert Shapiro  
1331 North California Blvd., Suite 320  
Walnut Creek, CA 94596

**Re: Current Status of J. W. Silveira Site in the Local Oversight Program-Alameda County**

Dear Mr. Shapiro:

This letter responds to your September 1, 1998 letter inquiring about our office's response to your June 3, 1998 letter. Your letter, in turn, responded to my May 5, 1998 letter where I attempted to summarize the County's opinion and concerns regarding Mr. Silveira's sites under our jurisdiction. My initial response to your letter was that the work proposed was not in the form of an acceptable work plan and was not signed by a registered professional as required by the Business and Professional Code. I then contacted Mr. John Alt of Epigene who verified that your letter was based upon his work plans. I requested that Mr. Alt submit the original work plans, signed and stamped by him.

I have talked to Mr. Alt several times since then and he has promised several times to submit the original work plans. To date, he has not provided these work plans, apparently because he has not been paid for this work.

At this time, the three LOP sites are considered out of compliance and are subject to the District Attorney's Office decision as whether to enforce or not.

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

Sincerely,

Barney M. Chan  
Hazardous Materials Specialist

C: B. Chan, files  
Mr. John Alt, Epigene, 37161 Niles Blvd., Fremont CA 94536  
Mr. J.W. Silveira, 499 Embarcadero, Oakland CA 94606

statJWSsites

# Shapiro Buchman LLP

ENVIRONMENTAL  
PROFESSIONAL  
ATTORNEYS AT LAW

98 SEP -2 PM 3: 09

September 1, 1998

Mr. Barney Chan  
ALAMEDA COUNTY HEALTH CARE SERVICES  
Environmental Health Services Department  
1131 Harbor Bay Parkway, Suite 250  
Alameda, California 94502-6577

Re: J.W. Silveira - Local Oversight Program - Alameda County  
1200 20th Avenue, Oakland, California  
744 East 12th Street, Oakland, California  
2301 East 12th Street, Oakland, California

Dear Mr. Chan:

On June 3, 1998, I wrote to you in response to your May 5, 1998 letter to my client regarding the above referenced properties. To date, I have not received a response to my correspondence to you.

Thank you for your continuing cooperation with regard to these matters. Please give me a call with any questions or comments you have.

Very truly yours,

SHAPIRO BUCHMAN LLP

Robert W. Shapiro

RWS:dxh

cc: Client  
John Alt

Robert W. Shapiro, P.C.  
Robert A. Buchman, P.C.  
Debra E. Keller  
David S. Wallace

Conference Center

44 Montgomery Street  
Nineteenth Floor  
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Basil J. Boutris  
Peter H. Dekker, P.C.  
Of Counsel

# Shapiro Buchman LLP

ATTORNEYS AT LAW  
ENVIRONMENTAL  
PROTECTION

98 JUN -4 PM 2:06

June 3, 1998

Mr. Barney Chan  
Alameda County Health Care Services  
Environmental Health Services Division  
1131 Harbor Bay Parkway, Suite 250  
Alameda, California 94502-6577

Re: J.W. Silveira - Local Oversight Program - Alameda County  
1200 20th Avenue, Oakland, California  
744 East 12th Street, Oakland, California  
2301 East 12th Street, Oakland, California  
Our File No.: 1016-0089

Dear Mr. Chan:

This office represents J.W. Silveira with regard to the above referenced matters. In the future, please direct all communications regarding this matter to my attention.

In response to your May 5, 1998 letter to my client, please find the information you have requested listed below by site.

1200 20th Avenue, Oakland, California - State ID No. 4968

You have requested the completion of several borings south of the former tank location and additional sampling of both soil and groundwater samples from these additional borings.

You have also indicated that if these samples show no unacceptable risk to human health and/or the environment, this site will be recommended for closure.

Accordingly, two (2) additional borings will be made utilizing a hydropunch drilling rig in the area immediately southwest (down gradient) of the former tank location.

Each hydropunch boring will extend to a depth of least twenty-five (25) feet, which my client estimates to be at least five (5) feet into the saturation zone. Soil samples will be collected at intervals of five (5) feet beginning ten (10) feet below the ground surface.

Robert W. Shapiro, P.C.  
Robert A. Buchman, P.C.  
David S. Stromberg  
Debra E. Keller

Page 1  
Conference Centers

44 Montgomery Street  
Nineteenth Floor  
San Francisco, CA 94104

David S. Wallace  
Ann Marie De Die  
J. Erick Dimalanta  
Robert R. Neller  
Eric A. Newsom

16255 Ventura Blvd.  
Suite 704  
Encino, CA 91436

Donald S. Honigman  
Basil J. Boutris  
Of Counsel

(1)  
Three (3) soil and groundwater samples will be collected and analyzed from each boring. All such samples will be analyzed for TPH as gasoline, BTEX and MTBE at an appropriate, State certified laboratory.

744 East 12th Street, Oakland, California - State ID No. 2957

You have requested additional soil samples from the area surrounding the former underground piping run, as well as further site characterization to assist in defining the limits of soil and groundwater contamination at this site.

Due to the location of overhead power lines directly above the vicinity of the former tank location, my client is precluded from utilizing a standard hydropunch drilling rig in this area.

Accordingly, my client proposes to use a hand operated percussion drilling rig to facilitate the installation of a minimum of four (4) temporary monitoring wells in the requested location and to collect samples of the groundwater.

An OVA meter will be utilized on site to screen the soil at intervals of five (5) feet for significant changes in the lithology and/or for any zones of high contamination.

A minimum of one (1) soil and groundwater sample will be taken from each boring in the requested area. All such samples will be analyzed for TPH as gasoline, BTEX and MTBE at an appropriate, State certified laboratory.

To my client's knowledge the underground piping that was removed from this site was not pressure tested during the removal process. Accordingly, one of the above referenced borings will be located along the former underground piping run, in the area where this pipe extended from the tank to the dispenser that was formerly located within the building located on this site.

Soil samples will be collected from below the pipe depth to assess the possibility of pipe leaks. Another boring will be located inside the above referenced building to assess the risk of vapors entering the building from the underlying soil.

2301 East 12th Street, Oakland, California - State ID No. 71

You have requested a synopsis of my client's workplan for offsite borings and analysis of the natural biodegradation parameters at this site.

Mr. Barney Chan  
June 3, 1998

Page 3

In order to more accurately define the edge of the plume at this site, four (4) hydropunches are to be installed in the down gradient park area northwest of the site. Each hydropunch will extend to a depth of approximately five (5) feet below the level of groundwater. One soil and groundwater sample will be collected from each boring. Each sample will be analyzed for TPH as gasoline and diesel fuel, BTEX and solvents pursuant to EPA Method No. 8010.

An additional three (3) borings will be made utilizing a hand operated percussion rig in, or adjacent to, the existing building located on this site (up gradient). Temporary monitoring wells will be installed on each boring to facilitate the collection of groundwater samples for analysis.

My client also proposes to ascertain if the necessary permits can be obtained to install a monitoring well in one (1) additional boring located in the center of East 12th Street. If such permits can be obtained, one (1) additional monitoring well will be installed here.

An additional test utilizing a new pump will be run on existing Monitoring Well EW-1 to further define the appropriate aquifer characteristics pursuant to your request.

If these proposals meet with your approval, please contact me as soon as possible so that my office can initiate the process of obtaining pre-approval of the associated costs for reimbursement purposes from the State Underground Storage Tank Cleanup Fund.

Thank you for your continuing cooperation with regard to this matter. Please contact me with any questions or comments you have.

Very truly yours,

SHAPIRO BUCHMAN LLP

Robert W. Shapiro

RWS:dxh

Enclosures

cc: Client

Mr. John Alt, Epigene International

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



May 5, 1998

Mr. J. W. Silveira  
499 Embarcadero  
Oakland CA 94606

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

**Re: Underground Tank Subsurface Investigations in the Local  
Oversite Program (LOP), Overseen by Alameda County**

Dear Mr. Silveira:

Our office would like to give you a final chance to continue and conclude on-going subsurface investigations on the three Oakland LOP sites which are currently overseeing by our office.

As you are aware, these three sites, which are owned by you, are being overseen by our office;

- 744 E. 12<sup>th</sup> St., Oakland CA , the former Harley Davidson site, StID # 2957
- 1200 20<sup>th</sup> Ave., Oakland CA, the William Wurzbach property, StID # 4968 and
- 2301 E. 12<sup>th</sup> St., Oakland CA 94601, the former Mel Senna Auto

Recall, my November 11, 1996 letter requested technical information on these sites by December 16, 1996. I cautioned you that Alameda County District Attorney's office was considering enforcement activities on you. Be aware that **both** County District Attorney's office and the Regional Water Quality Control Board have the authority under the Health and Safety Code and the Water Code, respectively, to levy civil fines in **addition** to requiring the same information and work that Alameda County Environmental Health requests for the proper closure of an underground tank site. Therefore, it is advisable to avoid enforcement and work with our office.

I would like to reiterate the County's current understanding of the status of each site and restate the needs for each site.

**1200 20<sup>th</sup> Ave. Ave., Oakland 94606 StID # 4968**

Significant investigation has already occurred at this site. This site has been preliminarily reviewed for closure. Upon internal review, it was determined that additional site characterization is necessary. This would likely consist of the advancement of several borings south of the former tank and the sampling of both soil and groundwater. The results of these borings should then be evaluated for potential risk to human health and the environment. Should no unacceptable risk exist, this site would be recommended for closure.

Mr. J. W. Silveira  
LOP Sites  
May 5, 1998  
Page 2.

It certainly would be a waste if this investigation was not continued to closure. Please submit a work plan for this additional investigation **within 30 days or by June 8, 1998.**

**744 E. 12<sup>th</sup> St., Oakland 94606 StID #2957**

The underground tank closure of the 500 gallon gasoline tank is not complete. Additional soil samples are required along the former underground piping run. In addition, based on the initial elevated benzene and gasoline concentration in initial tank pull samples, further site characterization is required to define the limits of soil and groundwater contamination. Having discussed this previously with Mr. John Alt of Epigene, he proposed the advancement of four borings around the former tank pit to initially assess soil and groundwater conditions. At this time, it is unknown whether additional investigation or remediation is necessary. Please provide a work plan for piping run sampling and the advancement of at least four borings to our office **within 30 days or by June 8, 1998.**

**2301 E. 12<sup>th</sup> St., Oakland CA 94601, StID # 71**

Considerable site investigation has occurred at this site. Significant gasoline and diesel contamination exists beneath and downgradient of this site. Potential risk to human health exists as determined by review of groundwater data and comparing these concentrations to conservative Tier 1 RBSLs (risk-based screening levels). This means potential health risk exists for current operators of the commercial business operating at this site. Low levels of chlorinated solvents also exist, likely the result of disposal of these solvents into the former waste oil tank. Off-site groundwater contamination has been found. The last time I spoke with Mr. Alt, he verbally proposed the advancement of soil borings both up and downgradient to the site. In addition, an extraction well placed near the former waste oil tank was being considered for groundwater extraction. The elevated levels of petroleum hydrocarbons must be remediated. At a minimum, until an active remediation system is initiated, you should have your consultant consider the addition of oxygen releasing compounds and any other supplements which would enhance natural bioremediation. Please provide your work plan for offsite borings and the analysis of natural biodegradation parameters to our office **within 30 days or by June 8, 1998.** You should continue to monitor groundwater quarterly at the site. Our last monitoring report from you was dated February 7, 1997.

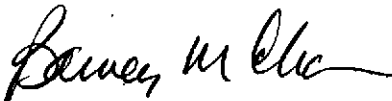
Mr. J. W. Silveira  
LOP Sites  
May 5, 1998  
Page 3.

Again, our office encourages you to complete the investigation and remediation at these sites. Civil liability will be avoided and you will restore property value and site useage.

The failure to respond to this request will result in the referral of these sites to the Water Board and the County District Attorney office for enforcement.

Please contact me at (510) 567-6765 should you have any questions.

Sincerely,



Barney M. Chan  
Hazardous Materials Specialist

C: B. Chan, files

Mr. B. Chambers, Alameda County District Attorney Office

Mr. C. Headlee, RWQCB

Mr. R. Shapiro, 1331 N. California Blvd., Walnut Creek, CA  
94596

2JWSEnf





**CaVEPA**

**State Water  
Resources  
Control Board**

**Division of  
Clean Water  
Programs**

**Mailing Address:  
P.O. Box 944212  
Sacramento, CA  
94244-2120**

**2014 T Street,  
Suite 130  
Sacramento, CA  
95814  
(916) 227-4307  
FAX (916) 227-4530**

**World Wide Web  
<http://www.swrcb.ca.gov/~cwphome/fundhome.htm>**

RECEIVED

# 51

BC



Pete Wilson  
Governor

SEP 10 1997

J W Silveira  
499 Embarcadero  
Oakland, CA 94506

**UNDERGROUND STORAGE TANK CLEANUP FUND, CLAIM NO. 10290, FOR SITE  
ADDRESS: 2301 12 ST E, OAKLAND 94601**

The State Water Resources Control Board (State Board) is able to issue, pursuant to applicable regulations, the enclosed Letter of Commitment (LOC) in an amount not to exceed \$50,000. This LOC is based upon our review of the corrective action costs you reported to have incurred to date. The LOC may be modified by the State Board.

It is very important that you read the terms and conditions listed in the enclosed LOC. Claims filed with the Underground Storage Tank Cleanup Fund far exceed the funding available and it is very important that you make use of the funding that has been committed to your cleanup in a timely manner.

**Consequently, if you do not submit your first reimbursement request for corrective action costs which you have incurred within ninety (90) calendar days from the date of this letter, your funds will automatically be deobligated. Once deobligated, any future funds for this site will be obligated subject to availability of funds at such time when we receive your reimbursement request.**

You are reminded that you must comply with all regulatory agency time schedules and requirements and you must obtain three bids for any required corrective action. Only corrective action costs *required* by the regulatory agency to protect human health, safety and the environment can be claimed for reimbursement. **Unless waived in writing, you are required to obtain preapproval of costs for all future corrective action work (form enclosed).** If you have any questions on obtaining preapproval of your costs or the three bid requirement, please call Steve Marquez, our engineer assigned to claims in your Region, at (916) 227-0746. Failure to obtain preapproval of your future costs may result in the costs not being reimbursed.

The following documents needed to submit your reimbursement request are enclosed:

- "Reimbursement Request Instructions" package. **Retain this package for future reimbursement requests.** These instructions must be followed when seeking reimbursement for corrective action costs incurred after January 1, 1988. Included in the instruction package are samples of completed reimbursement request forms and spreadsheets.
- "Bid Summary Sheet" to list information on bids received which **must be completed and returned.**



Recycled Paper

*Our mission is to preserve and enhance the quality of California's water resources, and ensure their proper allocation and efficient use for the benefit of present and future generations.*

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

February 18, 1997  
StID # 71

Mr. J.W. Silveira  
J.W.Silveira Company  
499 Embarcadero  
Oakland CA 94606

Re: **Former Mel Senna Auto Parts, 2301 E. 12th St., Oakland CA  
94601**

Dear Mr. Silveira:

Our office recently met with Mr. John Alt of Epigene International on February 3, 1997 and we discussed several of your properties where underground tanks have been removed. For the above referenced site, our office received and has reviewed the July 16, 1996 and October 16, 1996 Quarterly Monitoring Reports plus the analytical data for the January 1997 monitoring event. You are reminded to perform monitoring at either a quarterly or otherwise specified schedule and to submit monitoring/update reports on a quarterly basis as required by Title 23 of the California Underground Storage Tank Regulations.

A review of the analytical data indicates significant gasoline, diesel and BTEX groundwater contamination around and downgradient to the former underground tanks. Additionally, chlorinated solvents exist near the former waste oil tank and downgradient to it. The levels of these solvents tend to be less than the Primary Remediation Goals (PRG), risk-based values accepted as cleanup standards. The exception to this is the compound vinyl chloride which has been detected in MW-6 since February 1995 at levels exceeding the PRG.

Although there are both petroleum and non-petroleum compounds released at the site, requirements for site investigation and remediation remain the same. Site characterization must be complete and a baseline risk assessment is necessary. Because of this, Mr. John Alt provided a map indicating the proposed location of seven (7) hydropunch borings. Four borings are proposed north of the site and three south. I recommended at least one additional sample upgradient to MW-1, perhaps within the median of E. 12th St. It is assumed that both soil and groundwater samples will be taken to further characterize this site.

Mr. J.W.Silveira  
StID # 71  
2301 E. 12th St.  
February 18, 1997  
Page 2.

**Please submit a formal work plan for this additional site assessment, as outlined in the February 1997 meeting, to our office within 30 days or by March 19, 1997.**

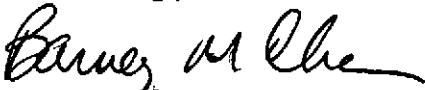
Based on the cumulative data from past monitoring events our office recommends the following changes to the current monitoring schedule:

1. You may discontinue groundwater sampling and analysis on the extraction well EW-1. This well may be used in the future for its intended purpose, however, no additional sampling is warranted at this time.
2. Based upon past chlorinated solvent results, it is appropriate to monitor the other wells (those other than EW-1) on a semi-annual basis for chlorinated solvents. These wells should, however, continue to be monitored for the existing petroleum contaminants on a quarterly basis.

Through conversation with Mr. Alt, I was informed that he performed a pump test using EW-1 while measuring the effects of pumping on the adjoining wells. Please submit a copy of these results along with the requested work plan.

I may be reached at (510) 567-6765 if you have any questions.

Sincerely,



Barney M. Chan  
Hazardous Materials Specialist

c: Mr. J. Alt, Epigene International, 38750 Paseo Padre Parkway,  
Suite A-11, Fremont, CA 94536

B. Chan, files wpm0n2401

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



November 11, 1996

Mr. J. W. Silveira  
499 Embarcadero  
Oakland CA 94606

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

**Re: Status of Sites J.W. Silveira Sites Overseen by Alameda  
County for Potential Enforcement Action**

Dear Mr. Silveira:

Our office last wrote to you in my January 31, 1996 letter which detailed the status of five (5) sites owned by you which our office was providing oversight. Though some action has occurred on these sites, progress has not been as expected. Again our office requests that immediate corrective actions be performed or these cases will be referred to the Alameda County District Attorney office for enforcement. Please provide a written response to the noted deficiencies within 30 days or by December 16, 1996.

Below is a list of sites where you have been identified as the property owner and the status of the ongoing remediation or compliance issue.

1. 1832 E. 12th St., Oakland 94606, Christian International Church. StID # 4876.

Our office has received verification of the closure of the two monitoring wells at this site and site closure is complete.

2. 923 87th Ave., Oakland 94621, Former Acker and Guerrero Roof Co. StID # 3668.

Our office has received verification of monitoring well closure. No further action is required for this site.

3. 744 E. 12th St., Oakland 94606, Former Harley Davidson, StID # 2957.

The 500 gallon underground gasoline tank at this site was removed from this site on April 3, 1996. Petroleum contamination was detected in soil samples. Our office requested in my July 17, 1996 letter, that you provide the tank closure report and a work plan to determine the extent of petroleum contamination in soil and groundwater. These reports <sup>are</sup> were requested to be submitted to our office by August 19, 1996. To date, our office has not received any reports. Please submit these reports along with a schedule for the proposed field work by previously requested date, 12/16/96. You may assume that your work plan proposal will be reviewed within one working week of the date of submittal.

Note that the tank closure occurred over 7 months ago and that the tank closure report was due within 60 days of the tank removal. Through discussion with Mr. John Alt of Epigene, I understand that temporary borings prior to monitoring well installation is being considered for your work plan. Proper closure and sampling of the piping run should also be addressed. In addition, we have not received a completed Unauthorized Release Report for this site. Please have your consultant complete this report and submit it along with the requested reports. Another blank form has been enclosed.

4. **1200 20th Ave., Oakland 94606, William Wurzbach Property, StID # 4968.** This site experienced a petroleum release from the two gasoline tanks removed from this site on January 19, 1994. Groundwater monitoring has been performed four times from February 1995 to February 1996. Epigene's February 29, 1996 monitoring report requested that our office consider this site for closure. At this time, our office requests that additional site characterization be performed south of the former tank area. Our office recommends the use of a rapid site assessment tool such as the Geoprobe, Hydropunch et al. to obtain soil and groundwater data to fully characterize the site. Groundwater monitoring should also be performed as soon as possible to verify consistency of existing groundwater data. Please also verify that the piping run to the former tanks has been properly closed and sampled. Your work plan for additional site assessment and a schedule for its implementation is due by 12/16/96. Based upon the results of the additional site assessment and groundwater monitoring results, our office will reconsider this site for closure as a "Low Risk Groundwater Case".
5. **2301 E 12th St., Oakland 94601, Former Mel Senna Auto, StID # 71.** This site was previously the focus of an August 31, 1993 Pre-enforcement Hearing. A request for technical reports letter was sent to you under the Water Board letterhead. Due to the significant fuel and solvent release, supplemental work plans have been submitted to further characterize and initiate remediation at this site. Our office reviewed and approved the June 9, 1995 Remedial Action Plan provided by your consultant, Epigene International. This work plan called for the installation of three additional wells (one upgradient and two downgradient) and the installation of a groundwater extraction system. To our knowledge, this work has yet to be performed nearly 17 months after County approval, even though the February 29, 1996, first quarter 1996 monitoring

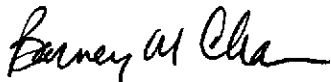
Mr. J. W. Silveria  
Status of Sites  
November 14, 1996  
Page 3.

report stated that the wells would be installed, developed and sampled by the end of next month. You should initiate this field work (monitoring well installation) immediately. Our office recommends that a Tier I risk assessment be performed to verify the need for the proposed extraction system. All viable exposure pathways should be considered. If the contaminant plume is not migrating significantly and petroleum contaminants dominate, onsite enhanced bioremediation might be considered. Our office has been made aware of the problems encountered with installing the extraction system. Please submit all additional quarterly monitoring reports for this site. The February 29, 1996 monitoring event is the most recent one which we have received. Your monitoring reports and a schedule for the installation of the additional monitoring wells is due by 12/16/96.

Your immediate written response and provision of requested technical reports to the above items is necessary to prevent these cases from being referred to the Alameda County District Attorney's Office for enforcement.

Please contact me at (510) 567-6765 should you have any questions.

Sincerely,



Barney M. Chan  
Hazardous Materials Specialist

c: L. Blazer, Alameda County District Attorney Office  
J. Alt, Epigene Intl., 38750 Paseo Padre Parkway, Suite B-4  
Fremont, CA 94536  
R. Shapiro, Attorneys-At-Law, 1331 N. California Blvd.,  
Walnut Creek, CA 94596  
P. Evans, ACEH  
B. Chan, files

2JWSENF

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, Assistant Agency Director

January 31, 1996

Mr. J. W. Silveira  
499 Embarcadero  
Oakland CA 94606

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

**Re: Referral of Sites to the Alameda County District Attorney  
Office for Enforcement**

Dear Mr. Silveira:

Our office has been providing both environmental remediation and regulatory oversight for a number of properties owned by you. Among these, the site at 2301 E. 12th St. in Oakland was the focus of a Pre-enforcement Hearing on August 31, 1993.

At this time, based on the lack of action on any of your sites, these cases will be referred to the Alameda County District Attorney Office for enforcement unless immediate action are initiated **within 30 days or by March 1, 1996.**

Below is a list of sites where you have been identified as the property owner and an ongoing remediation/compliance issue exists.

1. **1832 E. 12th St., Oakland 94606, Christian International Church. StID # 4876.** This site has been reviewed and granted closure by our office and the Water Board. You have been requested to properly close the two monitoring wells at this site. This has yet to be done. Please have this done and provide a report to our office documenting this action.
2. **923 87th Ave., Oakland 94621, Former Acker and Guerrero Roof Co. StID # 3668.** This site has been closed by our office. Like the above site, you must close the existing three wells and provide a report to our office documenting this action.
3. **744 E. 12th St., Oakland 94606, Former Harley Davidson, StID # 2957.** An application for the removal of the 250 gallon gasoline tank was submitted on June 13, 1994 and approved on July 20, 1994. Over 1.5 years has elapsed without word as to when this tank will be removed. During this time, no tank registration fees have been paid to our office. This tank must be either registered and permitted or properly closed.

Mr. J. W. Silveria  
Referral of Sites  
January 31, 1996  
Page 2.

4. **1200 20th Ave., Oakland 94606, William Wurzbach Property, StID # 4968.** This site experienced a petroleum release from the two gasoline tanks removed from this site on January 19, 1994. Three monitoring wells were installed at the site on February 13 and 14, 1995. A March 31, 1995 report documented this activity. Since this time, our office has not received any additional monitoring reports. We have been informed, however, that subsequent groundwater monitoring has occurred. Please provide all reports subsequent to the initial report to our office immediately. Further recommendations will be made after review of these reports.
  
5. **2301 E 12th St., Oakland 94601, Former Mel Senna Auto, StID # 71.** This site was previously the focus of an August 31, 1993 Pre-enforcement Hearing. A request for technical reports letter was sent to you under the Water Board letterhead. Due to the significant fuel and solvent release, supplemental work plans have been submitted to further characterize and initiate remediation at this site. Our office reviewed and approved the June 9, 1995 Remedial Action Plan provided by your consultant, Epigene International. This work plan called for the installation of three additional wells and the initiation of a groundwater extraction system. This work has yet to be performed. You should initiate this field work immediately unless you provide justification, perhaps a risk assessment, to show that such work is not necessary. Additionally, our office has only received the first quarter 1995 monitoring report for the existing six wells at this site. Please provide all monitoring reports after the first quarter 1995 to our office immediately.

Your immediate written response to all of the above items is necessary to prevent these cases from being referred to the Alameda County District Attorney's Office for enforcement.

Please contact me at (510) 567-6765 should you have any questions.

Sincerely,



Barney M. Chan  
Hazardous Materials Specialist



Mr. J. W. Silveria  
Referral of Sites  
January 31, 1996  
Page 3.

c: G. Jensen, Alameda County District Attorney Office  
J. Alt, Epigene Intl., 38750 Paseo Padre Parkway, Suite B-4  
Fremont, CA 94536  
R. Shapiro, Attorneys-At-Law, 1331 N. California Blvd.,  
Walnut Creek, CA 94596  
P. Evans, ACEH  
G. Coleman, files

JWSENF

*AS*

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

June 26, 1995  
StID # 71

Mr. J. W. Silveira  
499 Embarcadero  
Oakland CA 94606

**Re: Comment on June 9, 1995 Proposed Remedial Action Plan for  
2301 E. 12th St., Oakland CA 94601**

Dear Mr. Silveira:

This letter comments on the above referenced work plan for 2301 E. 12th, Oakland which I received on Friday, June 23, 1995. Although this report is missing a time schedule for its implementation, with the provision that a written and approved time schedule is submitted along with the upcoming quarterly monitoring report, (QMR), our office will not recommend any enforcement on this site. The site will also be considered in compliance and eligible for application to the Clean-up Fund.

Since our office has been in discussion with Mr. John Alt of Epigene, we are familiar with the contents of the Remedial Action Plan (RAP) and it is acceptable. Work should proceed as soon as possible in accordance to an accepted time schedule.

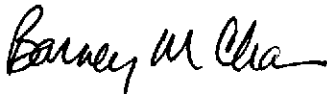
Please note the following additional comments/requirements:

1. The RAP mentioned that four additional wells would be installed, three monitoring and one extraction. Please provide a map depicting the monitoring well locations and a schedule for their installation.
2. As previously mentioned, a time schedule for the implementation of your RAP must be provided with your next QMR. A site update should also appear in your QMR.
3. It was noted in your RAP that not <sup>all</sup> analytical data was included in your summary of groundwater results, specifically, not all the chlorinated organic data was reported. Please include tables of **all** previous groundwater results, cumulative groundwater gradient data and an explanation for any significant changes.
4. I have been informed that the pump test performed at this site had mixed results. Please provide a copy of these results. After the initiation of the groundwater extraction system please determine the actual area of influence experienced from the extraction wells.

Mr. J. W. Silveira  
StID # 71  
2301 E. 12th St.  
June 26, 1995  
Page 2.

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

Sincerely,



Barney M. Chan  
Hazardous Materials Specialist

cc: G. Jensen, Alameda County District Attorney Office  
J. Alt, Epigene International, 38750 Paseo Padre Parkway,  
Suite B-4, Fremont, CA 94536  
R. Shapiro Esq., King, Shapiro, Mittelman & Buchman,  
Attorneys-At-Law 1331 North California Blvd.  
Sixth Fl., Walnut Creek, CA 94596  
J. Makishima, files

RAP2301

**King, Shapiro, Mittelman & Buchman**  
**Attorneys At Law**

Robert W. Shapiro, P.C.  
Mark R. Mittelman, P.C.  
Robert A. Buchman, P.C.  
David S. Stromberg  
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Christopher R. Aker  
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David S. Wallace

Of Counsel  
Donald S. Honigman  
Donald Tenconi

1331 North California Boulevard, Sixth Floor  
Walnut Creek, California 94596  
Telephone (510) 935-7755 Facsimile (510) 935-1553

June 21, 1995

Oakland Office  
1999 Harrison Street  
Suite 1600  
Oakland, CA 94612

San Francisco Office  
1592 Union Street  
Suite 167  
San Francisco, CA 94123

Please Reply To  
WALNUT CREEK

Retired from the Firm  
George King

**VIA FACSIMILE AND FIRST CLASS MAIL**

Mr. Barney M. Chan  
Hazardous Materials Specialist  
Alameda County Health Care Services Agency  
Department of Environmental Health  
UST Local Oversight Program  
1131 Harbor Bay Parkway  
Alameda, CA 94502-6577

Re: Silveira; 2301 East 12th Street, Oakland, California  
Our File No.: 1016-0092

Dear Mr. Chan:

On June 20, 1995, J. W. Silveira faxed to me a copy of your letter to him dated June 16, 1995, regarding the above-referenced property. I note on your letter that my copy was mailed to our old office address. Please note that our office address is as listed above.

Upon my receipt of your June 16, 1995 letter, I immediately notified Mr. Silveira's consultant, John Alt, and asked him to respond to your requests. The non-compliance that you reference in your letter was not a result of Mr. Silveira's or his counsel's actions. We have addressed the matter with Mr. Alt, and intend to rectify the situation immediately.

It is my understanding that you and Mr. Alt have spoken this afternoon. Mr. Alt informed you that he will supply you with a report by Friday, June 23, 1995, and that agreed not to void the application to the California Underground Storage Tank Clean-Up Fund.

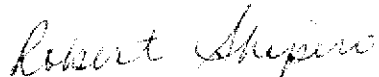
Mr. Barney M. Chan  
June 21, 1995

Page 2

We appreciate your continued cooperation in this matter.

Very truly yours,

KING, SHAPIRO, MITTELMAN & BUCHMAN



Robert W. Shapiro

RWS:ltn *ln*  
cc: Client  
(Dictated, but not read.)

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

June 16, 1995  
StID # 71

Mr. J. W. Silveira  
499 Embarcadero  
Oakland CA 94606

**Re: Status of Subsurface Investigation at 2301 E. 12th St.,  
Oakland CA 94601**

Dear Mr. Silveira:

This letter serves to notify you of your delinquency in providing reports and performing appropriate work pursuant to your required investigation and remediation of the above referenced site. Because this site has previously had a Pre-enforcement hearing on August 31, 1993, the Regional Water Quality Control Board (RWQCB) and Alameda County District Attorney Office are being copied with this letter so they may be informed of this situation and can proceed with appropriate enforcement actions if necessary.

As you are aware, only part of the requested work of the Legal Request has been performed. At this time, our last correspondence regarding this site has been my June 8, 1994 letter to you which requested the determination of a viable remedial approach for this site ie a feasibility study.

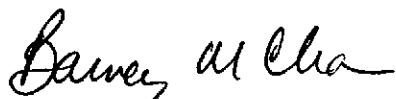
In the interim, our office has had several conversations with Mr. John Alt of Epigene, your consultant on record. Based on our conversations, he stated that he was recommending instituting a groundwater extraction system as a method of controlling the spread of contamination. The specifics of the extraction system including obtaining the appropriate permits, the location of the treatment system and the disposal of contaminated water were also discussed. Additionally, he stated that he had prepared this information in the form of a Remedial Action Plan (RAP). The elements of which were to include an examination of viable alternatives and the proposal for the implementation of the alternative of choice. When I spoke last with Mr. Alt, he stated that he had received authorization to submit the RAP and that I should expect it by June 12, 1995. To this date, our office has not received this document. Please provide your RAP to our office by **June 23, 1995**. Your RAP should also provide an acceptable time schedule for its implementation. Each subsequent monitoring report should describe the progress of the RAP.

Mr. J. W. Silveira  
StID # 71  
2301 E. 12th St.  
June 16, 1995  
Page 2.

Should our office not receive the requested document by this date I will request that this case be turned over to the aforementioned agencies for enforcement. In addition, any application for the State Clean-up Fund will be voided due to this non-compliance.

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

Sincerely,



Barney M. Chan  
Hazardous Materials Specialist

cc: G. Jensen, Alameda County District Attorney Office  
J. Kaiser, RWQCB  
J. Alt, Epigene International, 38750 Paseo Padre Parkway,  
Suite B-4, Fremont, CA 94536  
R. Shapiro Esq., King, Shapiro, Mittelman & Buchman,  
Attorneys-At-Law, 1999 Harrison St., Suite  
1600, Oakland CA 94612  
M. Ling Tung, files

enf2301

## STATE WATER RESOURCES CONTROL BOARD

## DIVISION OF CLEAN WATER PROGRAMS

2014 T STREET, SUITE 130  
P.O. BOX 944212  
SACRAMENTO, CA 94244-2120



(916) 227-4325  
FACSIMILE (916) 227-4349

SEP 23 1994

CERTIFIED MAIL NO. P 088 542 785

Robert W. Shapiro  
King, Shapiro, Mittelman & Buchman  
Attorneys at Law  
1331 North California Boulevard  
Sixth Floor  
Walnut Creek, CA 94596

Dear Mr. Shapiro:

UNDERGROUND STORAGE TANK (UST) LOCAL OVERSIGHT PROGRAM, SITE  
NOS. 71 AND 3668, ALAMEDA COUNTY, YOUR FILE NOS. 1016-0092 AND 0094

This is in response to your letter dated September 13, 1994. As I indicated in my July 14, 1994 letter, your clients have been identified as responsible parties for the two subject sites because they own the properties and owned the properties when the tanks were removed and contamination identified. According to Barney Chan of the County, a pre-enforcement hearing was conducted on August 31, 1993 regarding the 2301 East 12th Street site (71). The purpose of this hearing was to address the issue of non-compliance with County directives. The issue of naming additional responsible parties was not mentioned by you and Mr. Chan is not aware of any other party(ies) who might be responsible along with your clients. As I previously indicated, you need to provide Mr. Chan with any information you have concerning previous owners/tenants who might fit the definition of a responsible party pursuant to Article 11, Chapter 16, Title 23, California Code of Regulations.

Mr. Chan also indicated to me that he is currently reviewing the file for the 923 87th Avenue site (3668) for possible site closure.

If you have any questions, please telephone me at (916) 227-4325.

Sincerely,

Lori Casias  
Local Oversight Program

cc: Mr. and Mrs. Silveira  
Barney Chan

ALCO  
HAZMAT  
94 SEP 27 AM 11:23



ALCO  
HAZMAT

94 JUN 13 PM 12:28



**Epigene International**  
CONSULTING GEOLOGISTS

June 13, 1994

Mr. Barney Chan  
Alameda County Health Agency  
Division of Hazardous Materials  
Department of Environmental Health  
80 Swan Way, Rm. 350  
Oakland, CA 94621

#71

Subject: Schedule for Completion of Work Plan for Site Located  
at 2301 East 12th Street, Oakland

Dear Mr. Chan;

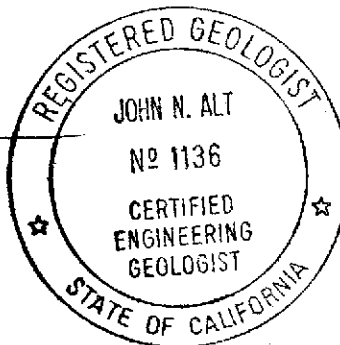
The completion of the proposed pump test is the remaining task for the workplan at the subject site. The pump test will be carried out on this coming weekend (June 18 and 19). It is difficult to gain access to all of the wells during weekdays due to the number of vehicles parked in the site area.

Following the completion of the pump test, we would like to meet with you to discuss the existing characterization of the site and the alternatives for site remediation.

If you have any questions or wish to discuss the proposed schedule for the remaining investigation further, please contact the undersigned.

Sincerely,

John N. Alt, CEG No. 1136



cc. Mr. Jim Brinker  
Mr. Robert Shapiro, Esq.

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

June 8, 1994  
StID # 71

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. J. W. Silveira  
499 Embarcadero  
Oakland CA 94606

**Re: Comment on May 10, 1994 Progress Report for Investigation  
at 2301 E. 12th St., Oakland 94601**

Dear Mr. Silveira:

Our office has received and reviewed the above report as performed by your consultant, Mr. John Alt of Epigene International. This report details the installation of three additional monitoring wells, the installation of one extraction well and the advancement of two borings within the former gasoline and diesel tank pit. The motivation of this additional work was to: determine the limits of soil and groundwater contamination, to determine if the the tank pit still contained contaminated soil and to install an extraction well to treat contaminated water and possibly soil.

The results presented in this report indicate that the extent soil and groundwater contamination has not been defined. The tank pit areas still act as a source of gasoline, diesel and BTEX (benzene, toluene, ethylbenzene and xylenes) contamination. It appears that the soil contamination is considerably higher in the ten foot range ie near groundwater, therefore, it is possible that groundwater treatment may also serve to remediate the soil contamination. For this reason, it is important that the proposed pump test on the extraction well be performed as soon as possible. If this is a viable remedial method, groundwater extraction should be instituted as quickly as possible since the permitting process for your treatment system may take considerable additional time. It is not a viable method, other alternatives must be evaluated and proposed.

Our office looks forward to the progress of verifying an appropriate remedial alternative for this site. Please update your progress in your subsequent quarterly monitoring reports. Keep in mind that the concentrations of contaminants currently being found in the monitoring wells requires remediation to meet the minimum of cleanup thresholds.

Mr. J. W. Silveira  
StID # 71  
2301 E. 12th St.  
June 8, 1994  
Page 2.

You may contact me at (510) 271-4530 if you have any questions.

Sincerely,



Barney M. Chan  
Hazardous Materials Specialist

cc: G. Jensen, Alameda County District Attorney Office  
J. Alt, Epigene International, 38750 Paseo Padre Parkway, Suite  
B-4, Fremont, CA 94536  
R. Shapiro, King, Shapiro, Mittelman & Buchman, Attorneys At  
Law, 1999 Harrison St., Suite 1600, Oakland 94612  
E. Howell, files

3-2301E

**King, Shapiro, Mittelman & Buchman**  
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Robert A. Buchman, P.C.  
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Joan D.B. Edelson

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Ann Marie De Die  
Arthur E. Fisher  
L. Leianne Joe  
Debra E. Keller  
Jeffrey S. Rosen  
Leanne Schlegel  
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Donald Tenconi

1331 North California Boulevard, Sixth Floor  
Walnut Creek, California 94596  
Telephone (510) 935-7755 Facsimile (510) 935-1553

Oakland Office  
1999 Harrison Street  
Suite 1600  
Oakland, CA 94612

San Francisco Office  
1592 Union Street  
Suite 167  
San Francisco, CA 94123

Please Reply To  
WALNUT CREEK

June 1, 1994

**VIA FACSIMILE AND  
FIRST CLASS MAIL**

Mr. Barney M. Chan  
Hazardous Materials Specialist  
Alameda County Health Care Services Agency  
87 Swan Way, Room 200  
Oakland, CA 94621

Re: Silveira; 2301 East 12th Street, Oakland, California  
Our File No.: 1016-0092

Dear Mr. Chan:

This letter will confirm my telephone conversation with you of this morning at which time you granted our request for an extension to June 10, 1994, to file the Technical Report for the above-referenced property. I understand that you have already discussed and confirmed the extension date of June 10, 1994, with the consultant, Mr. John Alt.

Thank you for your assistance.

Very truly yours,

KING, SHAPIRO, MITTELMAN & BUCHMAN

*Laura Neufeld*

Laura T. Neufeld  
Secretary to Robert W. Shapiro

Encl.  
cc: Client (via facsimile)

**King, Shapiro, Mittelman & Buchman**  
Attorneys At Law

Robert W. Shapiro, P.C.  
Mark R. Mittelman, P.C.  
Robert A. Buchman, P.C.  
David S. Stromberg  
Joan D.B. Edelson

Christopher R. Aker  
Ann Marie De Die  
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1331 North California Boulevard, Sixth Floor  
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Telephone (510) 935-7755 Facsimile (510) 935-1553

Oakland Office  
1999 Harrison Street  
Suite 1600  
Oakland, CA 94612

San Francisco Office  
1592 Union Street  
Suite 167  
San Francisco, CA 94123

Please Reply To  
WALNUT CREEK

May 27, 1994

**VIA FACSIMILE AND  
FIRST CLASS MAIL**

Mr. Barney M. Chan  
Hazardous Materials Specialist  
Alameda County Health Care Services Agency  
87 Swan Way, Room 200  
Oakland, CA 94621

Re: Silveira; 2301 East 12th Street, Oakland, California  
Our File No.: 1016-0092

Dear Mr. Chan:

This letter will confirm my voicemail message to you of this afternoon requesting a two-week extension to file the Technical Report for the above-referenced property. The original filing due date was May 31, 1994. Unless we hear from you to the contrary, we will assume that the extension has been granted and the Report will be filed by June 10, 1994.

Please do not hesitate to call if you have any questions. Thank you for your anticipated courtesy and cooperation.

Very truly yours,

KING, SHAPIRO, MITTELMAN & BUCHMAN

*Laura Neufeld*

Laura T. Neufeld  
Secretary to Robert W. Shapiro

Encl.

cc: Mr. James Brinker  
Mr. John Alt

ALCO  
HAZMAT  
94 MAY 31 PM 2:12

**ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY**



DAVID J. KEARS, Agency Director

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

April 28, 1994  
StID # 71

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. J. W. Silveira  
J.W. Silveira Properties  
499 Embarcadero  
Oakland CA 94606

**Re: Request for Technical Reports for 2301 E. 12th St., Oakland,  
CA, 94601, Alejo Auto Parts.**

Dear Mr. Silveira:

Our office has received and reviewed the February 7, 1994 monitoring report prepared by Epigene International. The report gave the results of the December 1993 monitoring event. We also are aware of the recent additional monitoring wells and borings installed at this site in March of 1994. We agree that it would be best to incorporate all wells in your future monitoring event.

We have been given verbal results from this latest investigation and it appears that significant soil contamination remains within the former diesel/gasoline tank pit. Groundwater contamination was also detected at significant concentrations in both the on-site and off-site wells. Because of these results, you are required to perform a feasibility study which evaluates at least two remedial action alternatives. I understand that you are considering groundwater extraction as one alternative. Please provide a time schedule for the performance of your pump test. You should also provide an additional remedial alternative.

Please provide the following reports to our office **within 30 days or by May 31, 1994** :

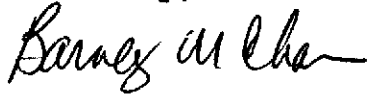
1. Your report detailing the installation of monitoring wells and borings;
2. Your March 1994 groundwater monitoring report for all wells;
3. Your Feasibility Study, providing the remedial alternatives being considered for this site. Please include a time schedule for performing the proposed pump test.

Again, you are reminded that this is a formal request for technical reports pursuant to the California Water Code Section 13267 (b). Failure to provide the requested reports will cause this case to be referred for enforcement.

Mr. J. W. Silveira  
StID # 71  
2301 E. 12th St.  
April 28, 1994  
Page 2.

You may contact me at (510) 271-4530 if you have any questions.

Sincerely,



Barney M. Chan  
Hazardous Materials Specialist

cc: G. Jensen, Alameda County District Attorney Office  
R. Hiett, RWQCB  
R. Shapiro, King, Shapiro, Mittelman & Buchman, Attorneys At  
Law, Lake Merritt Plaza, Suite 1600, 1999  
Harrison St., Oakland CA 94612  
J. Alt, Epigene International, 38750 Paseo Padre Parkway,  
Suite B-4, Fremont, CA 94536  
J. Brinker, B&B Inc., 1281-30th St., Oakland CA 94608

*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 Senna Auto Parts Today's Date 3/17/94  
 Site Address 2301 E14th St EPA ID# \_\_\_\_\_  
 City Oak Zip 94601 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)**

- |                   |                                 |         |
|-------------------|---------------------------------|---------|
| ___               | 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         | 67126   |
|                   | ___ 17. Maintenance             | 67120   |
|                   | ___ 18. Training                | 67105   |
| <hr/>             |                                 |         |
| Contn. Agency     | ___ 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:**

~ 2<sup>00</sup> pm, John Alt et al., near completion of work which included 2 storage w/ tank pit of diesel & gas tanks plus 3 wells + 1 extraction 4" well. MW-4 not yet installed at time of site visit.  
 He orders present in boring B-1 + B-2 plus in MW-5 indicating migration of site, however, only the boring at Campbell fence in MW-5 had also indicated contamination may be significant w/ GW.

**I.B. 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 |

Rev 6/88

Contact: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Signature: \_\_\_\_\_

Inspector: B Chan  
 Signature: \_\_\_\_\_





**Epigene International**  
CONSULTING GEOLOGISTS

December 23, 1993

Mr. Barney Chan  
Alameda County Health Agency  
Division of Hazardous Materials  
Department of Environmental Health  
80 Swan Way, Rm. 350  
Oakland, CA 94621

Subject: Proposed Modification of Work Plan for Site Located  
at 2301 East 12th Street, Oakland

Dear Mr. Chan;

The purpose of this letter is to address your concerns and suggestions regarding the proposed investigation of the subject site. As per your suggestion, the locations of MW-4 and MW-6 have been modified as shown on the revised Site Plan.

The analysis of the groundwater samples has been expanded to include EPA Methods 8270 and 8240 for MW-2 and MW-3. It should be noted that EPA Method 8010 has been run on groundwater samples from these wells in the past.

Soil samples collected from the borings for MW-4, MW-5 and MW-6 will be screened in the field using an OVA. Any sample with a reading that exceeds 100 ppm on the OVA will be preserved for laboratory analysis.

This letter is intended to supplement the existing workplan for the site. Should you concur with the proposed modifications and approve of the workplan, please let us know. We are prepared to initiate the investigation upon receipt of your written approval. You will be provided at least 48 hour notice prior to initiating any field activities.

If you have any questions or wish to discuss the proposed investigation further, please contact the undersigned.

Sincerely,

John N. Alt, CEG No. 1136

cc. Mr. Jim Brinker  
Mr. Robert Shapiro, Esq.

94 JAN 10 PM 2:53

ALCO  
HAZMAT

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

November 8, 1993  
StID # 71

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. J. W. Silveira  
499 Embarcadero  
Oakland CA 94606

**Re: Evaluation of October 22, 1993 Work Plan for 2301 E. 12th St., Oakland CA 94601, former Mel Senna Auto**

Dear Mr. Silveira:

Our office has received and reviewed the above referenced work plan for 2301 E. 12th St. as provided by Mr. John Alt of Epigene International. Recall, this work plan calls for the installation of three monitoring wells, the installation of one extraction well and the advancement of two borings within the former diesel tank pit. A pump test will be performed on the extraction well to determine the effectiveness of a groundwater extraction system. These actions are acceptable with the following conditions:

1. Please consider relocating monitoring well MW-4 to the east approximately 10 feet and monitoring well MW-6 southeasterly approximately 20 feet. This way MW-4 will accomodate the wide fluctuation of gradient which has occurred at this site. In addition, MW-6 will be a true upgradient well. Note that monitoring well, MW-1 is so close to the former tank pit that it cannot be considered representative of upgradient contamination.
2. Please analyze monitoring wells MW-2 and MW-3 for semi-volatile and volatiles via Method 8270 and 8240. This is in addition to Total Petroleum Hydrocarbons as gasoline, as diesel, BTEX and Total Oil and Grease. Recall that these two parameters have yet to be run on the soil or groundwater samples associated with the former waste oil tanks. In addition, all parameters found in MW-2 and MW-3 should also be run in the proposed two off-site well water samples.
3. The work plan states that only groundwater samples will be run on the new monitoring wells, excluding the extraction well. Please screen the soil boring samples from the wells at every 5 foot interval with a field instrument, either a Hnu or OVA. You should analyze any soil sample with significant screening values for TPHg, TPHd and BTEX via a certified laboratory.

Mr. J. W. Silveira  
2301 E. 12th St.  
StID # 71  
November 8, 1993  
Page 2.

Please provide written comment on the above items prior to initiating work. You should also contact me 48 hours prior to performing this work.

You may contact me at (510) 271-4530 if you have any questions.

Sincerely,



**Barney M. Chan**  
Hazardous Materials Specialist

cc: John Alt, Epigene International, 38750 Paseo Padre Parkway,  
Suite B-4, Fremont, CA 94536  
Robert Shapiro, c/o King, Shapiro, Mittelman & Buchman, 1999  
Harrison St., Suite 1600, Oakland CA 94612  
J. Brinker, Bernabe and Brinker Inc., 1281 30th St., Oakland  
CA 94608  
**E. Howell, files**

2wp2301E12

Alameda County Health Care Services Agency, Department of  
Environmental Health, Hazardous Materials Division

In Re The Property Known As :  
Former Mel Senna Brake Service  
2301 E. 12th St.  
Oakland, CA 94601

) Notice of Official Action  
) By the San Francisco Bay  
) Regional Water Quality  
) Control Board  
)

Dear Sirs:

The attached Official Notice of Request for Technical Reports pursuant to Water Code Section 13267(b) has been forwarded to this office for legal service, and oversight. As the Agency responsible for enforcing the terms of this Official Action, all communication should continue to be directed to this office. Please make arrangements to comply by calling me at (510) 271-4530 to coordinate all future activities.

Failure to comply could result in liability for civil or administrative penalties of up to \$1000 per day of delinquency.

I Jayna Arreguin, do hereby certify  
that I served J. W. Silveira  
with a copy of the attached Notice of Official Action by the  
Regional Board by certified mailer

# P 418 724 649

Dated: 10/1/93

Barney M Chan  
(signature)

P 418 724 649



**Receipt for  
Certified Mail**

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

BC #71

Sent to	
J. W. Silveira	
Street and No.	
499 Embarcadero	
P.O., State and ZIP Code	
Oakland CA 94606	
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	

PS Form 3800, June 1991

King, Shapiro, Mittelman & Buchman  
Attorneys At Law

Robert W. Shapiro, P.C.  
Mark R. Mittelman, P.C.  
Robert A. Buchman, P.C.  
David S. Stromberg

Christopher R. Aker  
Ann Marie De Die  
Joan D.B. Edelson  
L. Leianne Joe  
Debra E. Keller  
Jeffrey S. Rosen  
Peter M. Sproul  
David S. Wallace

Of Counsel  
Arthur E. Fisher  
Donald S. Honigman  
James L. McIntosh  
Resident Contra Costa Office

Lake Merritt Plaza, Suite 1600  
1999 Harrison Street, Oakland, CA 94612  
Telephone (510) 273-8833 Facsimile (510) 273-8636

Contra Costa Office  
3650 Mt. Diablo Blvd.  
Suite 130  
Lafayette, CA 94549  
Telephone (510) 283-1563  
Facsimile (510) 283-1595  
San Francisco Office  
1592 Union Street  
Suite 167  
San Francisco, CA 94123

September 29, 1993

Please Reply To  
OAKLAND

Mr. Barney M. Chan  
Hazardous Materials Specialist  
Alameda County Health Care Services Agency  
87 Swan Way, Room 200  
Oakland, CA 94621

Re: Silveira; 2301 East 12th Street, Oakland, California  
Our File No.: 1016-0092

Dear Mr. Chan:

On August 31, 1993, I attended the Pre-Enforcement Review Panel Hearing in your offices with Mr. Silveira's consultants, Mr. James Brinker of Bernabe and Brinker, and Mr. John Alt. At the hearing, the status of the characterization was discussed as well as the tank closure report. Mr. Alt had the tank closure report at the hearing and it was submitted to you upon the close of the hearing.

It was my understanding that we were to be copied on a letter from the State Water Resources Control Board within a short period of time after the hearing confirming our discussions at the hearing as well as confirming the information we suggested to you at the hearing in response to your letter dated August 23, 1993. As of this date, we have not received the letter.

In the interim, our consultants have contacted you regarding starting the test boring work to characterize the soil contamination at the site as it has been alleged that contaminated soils were reused in the back filling of the 6,000 gallon diesel tank. As we discussed at the hearing, my client has received a permit to do this work and they would like to proceed. During your last conversation with either Mr. Alt or Mr. Brinker, you informed them that they should wait until we receive the letter from the State Water Resources Control Board. We would like clarification on this point as we had understood that we were to move ahead

93 SEP 30 AM 11:56

## CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

SAN FRANCISCO BAY REGION  
2101 WEBSTER STREET, SUITE 500  
OAKLAND, CA 94612  
(510) 286-1255

93 SEP 28 PM 3:13



J. W. Silveira  
499 Embarcadero  
Oakland, CA 94606

September 27, 1993  
File: 01-1317 & 2198.17

**RE: Legal Request for Submittal of a Technical Report Resulting from the Alameda County Department of Environmental Health's Pre-Enforcement Review Panel Meeting on August 31, 1993**

Dear Sir:

It has been brought to my attention by Regional Board staff that a condition of soil and groundwater pollution exists on the property located at 2301 E. 12th Street, Oakland, as a result of an underground storage tank release. The Alameda County Department of Environmental Health (ACHD) staff have requested technical reports from you to fulfill your obligations per California Code of Regulations, Title 23 Waters, Chapter 16, Underground Storage Tank Regulations, Article 11, Corrective Action Requirements. It is my understanding that ACHD staff were unsuccessful in eliciting your co-operation in resolving these issues through normal correspondence.

A Pre-Enforcement Review Panel was held at the ACHD offices on August 31, 1993, attended by Mr. Richard Hiatt of my staff. Pursuant to the Regional Board's authority under Section 13267 (b) of the California Water Code, you are hereby required to submit a technical report to address soil and groundwater pollution at this site within 30 days of the date of this letter. This technical report should specifically address the following:

1) Implementation of tasks proposed in your July 15, 1993 work plan by Epigene International Consultants. Additionally this report should define the lateral and vertical extent of pollution in soil including the backfilled soils in the diesel pit.

Reporting of investigative and remedial activities for this site are due on a quarterly basis. All work should adhere to the requirements of the Tri-Regional Board Staff Recommendations for the Preliminary Evaluation and Investigation of Underground Storage Tank Sites-August 10, 1990 and Article 11 of Title 23, Waters, California Code of Regulations.

I am hereby transmitting this request for a technical report to ACHD for service and continued case handling. You should be aware that failure on your part to submit the requested technical report, or late submittal may result in fines up to \$1000 per day of

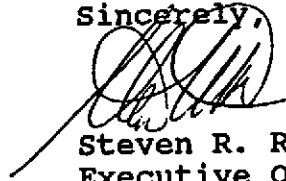
Enforcement Panel  
Page 2 of 2

delinquency. Your response to this technical report request should be sent to the attention of Mr. Barney Chan at ACHD. Please inform their office at least three working days in advance of all field activities.

Please be advised that this is a formal request for a technical reports pursuant to California Water Code Section 13267 (b). Any extensions of the stated deadlines, or modifications of the required tasks, must be confirmed in writing by either this agency or the ACHD.

If you have any questions regarding the contents of this letter, Please contact Mr. Chan of ACHD, at (510) 271-4530.

Sincerely,



Steven R. Ritchie  
Executive Officer

cc: Gil Jensen, ACDA, 7677 Oakport Street, Suite 400, Oakland  
94621  
Thomas Peacock, ACHD, 80 Swan Way, Suite 200, Oakland 94621



ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

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

August 23, 1993  
StID # 71

Mr. J. W. Silveria  
499 Embarcadero  
Oakland, CA 94606

**Re: Comment on the July 15, 1993 Work Plan for the Installation  
of an Extraction Well and Additional Wells at 2301 E. 12th  
St., Oakland CA 94601**

Dear Mr. Silveria:

Our office has received and reviewed the above referenced work plan as provided by Mr. James Brinker of Bernabe and Brinker Inc. Our office has a number of comments and requirements which must be addressed prior to the implementation of the work plan. You may either reply in writing or provide your reply in the upcoming pre-enforcement hearing scheduled at our office on August 31, 1993 at 10:00 am. These are the items which should be addressed:

1. Please be advised that all work plans which require geologic or engineering evaluations and/or judgements must be signed by a California Registered Professional. The above referenced work plan was not signed by such a professional.
2. On 3/14/91, 10/15/92, 2/3/93 and 3/2/93 you were notified that our office had yet to receive a complete tank closure report. We have been informed that one has been prepared but are still not in receipt of the report requested over three years ago.
3. Contaminated soils were reused in the backfilling of the 6K diesel tank. How will the extent of this and other soil contamination be defined? The work plan does not address this issue.
4. Please explain the logic with the location of one of the offsite wells within the street and one on the other side of the street. If there is no advantage for a specific location, consideration should be given to the length of time expected for obtaining permission to excavate.
5. The extraction well will be located slightly south of the former waste oil tanks. Keep in mind that the radius of influence found using this extraction well may be influenced due to the former tank pit having been excavated to near groundwater.

Mr. J. W. Silveira  
StID # 71  
2301 E. 12th St.  
August 23, 1993  
Page 2.

6. Until the extent of soil contamination has been determined, all monitoring wells must be sampled and analyzed for the potential contaminants which have been found at the site.

7. You were asked, previously in my March 2, 1993 letter, to provide a timetable for the implementation of your tasks. Please provide such a timetable to be implemented upon receiving work plan approval from our office. All updates of the proposed tasks should be noted in your quarterly monitoring reports.

You may contact me at (510) 271-4530 if you have any questions.

Sincerely,



**Barney M. Chan**  
Hazardous Materials Specialist

cc: G. Jensen, Alameda County District Attorney Office  
R. Hiatt, RWQCB  
J. Alt, Epigene International, 38750 Paseo Padre Pkway.,  
Suite B-4, Fremont, CA 94536  
J. Brinker, B&B, 1281-30th St., Oakland CA 94608  
E. Howell, files

2-wp2301

Alameda County Health Care Services Agency, Department of  
Environmental Health, Hazardous Materials Division

In Re The Property Known As : )                      Proof of Service of

2301 E. 12th St.                      )                      Notice of  
Oakland, CA 94601                    )                      Pre-Enforcement  
    )                      Review Panel

I Shirley M. Simril, do hereby certify  
that I served Mr. J. W. Silveira  
with a copy of the attached Notice of Pre-Enforcement Review  
Panel on August 1, 1993 by certified  
mailer # P 418 724 559

Dated: August 2, 1993

Shirley M. Simril  
(signature)

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

In Re The Property Known As :        )        **Notice of  
Pre-Enforcement  
Review Panel**


Former Mel Senna Brake Service  
2301 E. 12th St., Oakland, CA 94601)

Notice is hereby given that upon the motion of the Alameda County Hazardous Materials Division, and the San Francisco Bay Regional Water Quality Control Board a **Review Panel** will convene on August 31, 1993 at 10:00 a.m. in the offices of the Alameda County Hazardous Materials Division located at 80 Swan Way, Room 200, Oakland, CA 94621. This **Review Panel** will convene for the purpose of determining responsible parties as well as appropriate closure, site assessment, clean-up and mitigation of contamination at the above location.

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

1. **Mr. J. W. Silveira**  
499 Embarcadero  
Oakland, CA 94606

Dated: July 28, 1993

  
\_\_\_\_\_  
(signature)

P 418 724 559 TP



**Receipt for Certified Mail**

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

See <i>Re</i>	<i>2301 E. 12th St</i>
Street and No.	<i>OAK 94601</i>
P.O., State and ZIP Code	<i>MR. J. W. Silveira</i>
Postage	<i>\$1.99 Embarkadero</i>
Certified Fee	<i>OAK, CA 94606</i>
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	

PS Form 3800, June 1991

#71

# 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 checked="" 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>Barney Chan</i> SIGNED _____ DATE _____
REPORT DATE 0 <u>7</u> <u>0</u> d <u>6</u> <u>9</u> v <u>3</u>	CASE #	

REPORTED BY	NAME OF INDIVIDUAL FILING REPORT <u>JAMES E. BRINKER</u>	PHONE (510) 451-3482	SIGNATURE <i>James E. Brinker</i>
	REPRESENTING <input type="checkbox"/> LOCAL AGENCY <input checked="" type="checkbox"/> OWNER/OPERATOR <input type="checkbox"/> REGIONAL BOARD <input type="checkbox"/> OTHER _____	COMPANY OR AGENCY NAME BERNABE AND BRINKER INC.	
	ADDRESS 1281-30TH STREET OAKLAND CITY CA STATE 94608 ZIP		

RESPONSIBLE PARTY	NAME <u>J.W. SILVEIRA PROPERTIES</u> <input type="checkbox"/> UNKNOWN	CONTACT PERSON J.W. SILVEIRA	PHONE (510) 834-9810
	ADDRESS 499 EMBARCADERO STREET OAKLAND CITY CA STATE CA ZIP 94608		

SITE LOCATION	FACILITY NAME (IF APPLICABLE) <u>ALEJO AUTO REPAIR</u>	OPERATOR JULIUS ALEJO	PHONE (510) 533-5864
	ADDRESS 2301-EAST 12TH STREET OAKLAND CITY CA ALAMEDA COUNTY 94608 ZIP ? 94		
	CROSS STREET 23RD. AVENUE		

IMPLEMENTING AGENCIES	LOCAL AGENCY <u>ALAMEDA ENVIRONMENTAL HEALTH</u>	CONTACT PERSON BARNEY CHAN	PHONE (510) 271-4320
	REGIONAL BOARD <u>WATER QUALITY CONTROL BOARD</u>		PHONE ( )

SUBSTANCES INVOLVED	(1) NAME <u>GASOLINE</u>	QUANTITY LOST (GALLONS) _____ <input checked="" type="checkbox"/> UNKNOWN
	(2) NAME <u>DIESEL</u>	QUANTITY LOST (GALLONS) _____ <input checked="" type="checkbox"/> UNKNOWN

DISCOVERY/ABATEMENT	DATE DISCOVERED 1 <u>2</u> <u>2</u> d <u>1</u> <u>9</u> v <u>0</u>	HOW DISCOVERED <input type="checkbox"/> TANK TEST <input checked="" type="checkbox"/> TANK REMOVAL <input type="checkbox"/> INVENTORY CONTROL <input type="checkbox"/> SUBSURFACE MONITORING <input type="checkbox"/> NUISANCE CONDITIONS <input type="checkbox"/> OTHER _____
	DATE DISCHARGE BEGAN _____ <input checked="" type="checkbox"/> UNKNOWN	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 <u>01</u> <u>2</u> <u>1</u> <u>1</u> <u>9</u> v <u>1</u>	

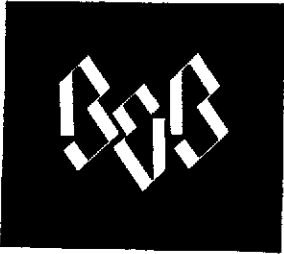
SOURCE/ CAUSE	SOURCE OF DISCHARGE <input type="checkbox"/> TANK LEAK <input checked="" type="checkbox"/> UNKNOWN <input type="checkbox"/> PIPING LEAK <input type="checkbox"/> OTHER _____	CAUSE(S) <input type="checkbox"/> OVERFILL <input type="checkbox"/> RUPTURE/FAILURE <input type="checkbox"/> SPILL <input type="checkbox"/> CORROSION <input checked="" type="checkbox"/> UNKNOWN <input type="checkbox"/> OTHER _____
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CASE TYPE	CHECK ONE ONLY <input type="checkbox"/> UNDETERMINED <input type="checkbox"/> SOIL ONLY <input checked="" type="checkbox"/> GROUNDWATER <input type="checkbox"/> DRINKING WATER - (CHECK ONLY IF WATER WELLS HAVE ACTUALLY BEEN AFFECTED)
-----------	--

CURRENT STATUS	CHECK ONE ONLY <input 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 checked="" 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 checked="" type="checkbox"/> CAP SITE (CD) <input type="checkbox"/> EXCAVATE & TREAT (ET) <input type="checkbox"/> NO ACTION REQUIRED (NA) <input type="checkbox"/> OTHER (OT) <input checked="" type="checkbox"/> CONTAINMENT BARRIER (CB) <input type="checkbox"/> EXCAVATE & DISPOSE (ED) <input checked="" type="checkbox"/> REMOVE FREE PRODUCT (FP) <input type="checkbox"/> PUMP & TREAT GROUNDWATER (GT) <input type="checkbox"/> TREATMENT AT HOOKUP (HU) <input type="checkbox"/> ENHANCED BIO DEGRADATION (IT) <input type="checkbox"/> REPLACE SUPPLY (RS) <input type="checkbox"/> VENT SOIL (VS) <input checked="" type="checkbox"/> VACUUM EXTRACT (VE)
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COMMENTS	
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# BERNABE AND BRINKER INC.

General Engineering Contractor • Hazardous Substances Removal • License #610617

1281 - 30th Street  
Oakland, California 94608

TEL: 510 • 451 • 3482  
FAX: 510 • 836 • 2635

June 9, 1993

Mr. J. W. Silveira  
499 Embarcadero  
Oakland, CA 94606

Dear Mr. Silveira:

Re: Drums full of soil borings on property at 2301-E-12th  
St., Oakland, California.

The three drums on the property were removed on May 12, 1993  
by Parker Environmental Services, their job No. 147-01.  
(copy enclosed)

Sincerely,

*James E. Brinker*  
James E. Brinker

CC: BARNEY CHAN - DEPT. OF HEALTH  
JOHN ALT - EPOGENE INTERNATIONAL



June 8, 1993

Parker Job # 147-01

BERNABE AND BRINKER, INC.  
ATTN: JIM BRINKER  
1281 30TH STREET  
OAKLAND, CA 94608

Subject: Removal of 3 Drums of Soil from 2301 East 12th Street, Oakland, CA

This letter is to inform you that Parker Environmental Services has removed the 3 drums of soil from the subject site and properly disposed of the materials.

The materials were disposed or recycled as described below:

<u>Date:</u>	<u>Item</u>	<u>Amount</u>	<u>UOM</u>	<u>Disposal Site</u>
5/12/93	Soil	1.0	CYD	Acme Landfill, Martinez, CA
5/12/93	55-gal drum	3	Each	Cleaned for Re-use

If this information does not agree with your records, please notify us within ten days so we can resolve any discrepancies.

Sincerely,  
PARKER ENVIRONMENTAL SERVICES

James D. Parker  
President

*Recycled Paper*





# BERNABE AND BRINKER INC.

General Engineering Contractor • Hazardous Substances Removal • License #610617

1281 - 30th Street  
Oakland, California 94608

TEL: 510 • 451 • 3482  
FAX: 510 • 836 • 2635

June 2, 1993

Mr Barney Chan  
Alameda County Health Care Services Agency  
Department of Environmental Health  
80 Swan Way Room 200  
Oakland, CA 94621

Dear Mr Chan:

Re: J.W. Silveira property located at 2301 E-12th Street,  
Oakland, California 94601, letter dated May 27, 1993,  
STID #71.

Concerning the monitoring of the wells: this has been  
accomplished accordingly but there was a failure on my part to  
see that the paperwork was sent to all parties interested in  
this matter. We are forwarding these documents to you this  
day by fax and with a follow up on hard copy.

Additional analysis has been accomplished in the 1 last  
quarter and this will be will be reflected in the reporting  
being sent to your office for MW-2.

Mr. Alt of Epigene International did remeasure the  
groundwater elevations of the three wells on the property at  
2301-E~~12~~th Street., Oakland.

Point 2: The tank closure report was delayed because of Mr.  
Ray Walkers refusal to submit requested paperwork pertinent to  
the site in question.

Since I was the one requesting the information from Mr. Ray  
Walker, Mr. John Alt had to wait until I was able to obtain  
the needed paperwork.

Enclosed please find correspondence between our company and  
Mr. Ray Walker requesting said informations, but to no avail  
with all my energies exhausted I again contacted Mrs. Virginia  
Tracy , Executive Secretary for Mr. J.W. Silveira and informed  
her of my situation. Mrs, Tracy then called Mr. Walker  
requesting the same informations from him, when Mr. Walker  
did not respond to her request she then contacted the  
corporate law firm working for Mr. Silveira and a letter was  
sent to Mr. Walker. (letter enclosed)

**BERNABE AND BRINKER INC.**

June 2, 1993

Attn: Mr. Barney Chan:

The work plan addendum for the determination of the lateral extent of soil contamination is being processed at this time. You will receive it probably this week or first part of next week.

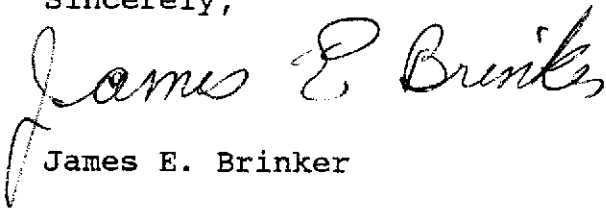
Part 3 of your letter concerning MW-2, free product follow up with the quarterly sampling which was done in early March 1993.

Concerning the groundwater extraction treatment system. We plan on doing appropriate testing on site to verify this method would be the most logical to clean up the site in question.

Concerning your questions pertaining to permits, equipment proposed and offsite access, we are presently working on this problem and will have additional information for your office shortly.

We appreciate your concerns pertaining on this matter and if you have further questions please contact me at your convenience.

Sincerely,



James E. Brinker

cc: J.W. Silveira  
John Alt, Epigene International

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY



DAVID J. KEARS, Agency Director

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

May 27, 1993  
StID # 71

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. J. W. Silveira  
499 Embarcadero  
Oakland CA, 94606

**Re: Status of Investigation at 2301 E. 12th St., Oakland CA,  
94601, formerly Mel Senna Brake Service**

Dear Mr. Silveira:

Our office has not received the information regarding the further investigation of the above site as was requested in my March 2, 1993 meeting with Mr. James Brinker and Mr. John Alt of Epigene. Recall, this meeting occurred after I issued a February 3, 1993, **Final Notice of Violation** to you.

Specifically, my March 2, 1993 letter requested that quarterly monitoring of the wells be instituted. Additional waste oil parameters were to be analyzed in monitoring well M-2, the well downgradient well to the former waste oil tanks. The last monitoring results received for this site were taken on 11-6-92, therefore an additional monitoring event should have occurred since then. In addition, Mr. Alt was going to remeasure the groundwater elevations of the wells, as he suspected they had been previously measured incorrectly. Our office has not received any additional groundwater monitoring data.

Point 2, in my March letter stated that by April 15, 1993, your consultant would submit a complete tank closure report and a work plan addendum for the determination of the lateral extent of soil contamination. Our office has not received these reports as yet.

Point 3 of my letter, stated that immediate free product removal should be implemented in MW-2. In Mr. John Alt's March 18, 1993 letter, he stated that during the March 2, 1993 purging of this well, 1/8 inch of floating product was observed and during the next weekly purge, a groundwater sample would be run for the waste oil parameters which I mentioned above. Thus there is evidence that a March 2, 1993 sampling event occurred which our office has yet to receive results for.

Because your consultant is considering instituting a groundwater treatment system, prior to this, you should perform an extraction test to verify the applicability of this technique. Assuming that conditions are favorable for this type of remediation, please provide a schematic map as to location of the piping, the

Mr. J. W. Silveira  
StID # 71  
2301 E. 12th St., Oakland 94601  
May 26, 1993  
Page 2.

location of the treatment system and the specification sheets for the actual equipment to be used. Please provide the status of all applications necessary for your treatment system, ie Air Board permit, effluent permit from either EBMUD or the Water Board and City of Oakland building permit for the construction of the system. If offsite access is required to capture the groundwater contaminant plume, you will need additional encroachment or excavation permits.

Because our office has not received the requested documents, our office will be contacting the District Attorney's Office and requesting an administrative hearing unless these documents are provided to our office within 10 working days, or by June 11, 1993.

You may contact me at (510) 271-4530 should you have any questions.

Sincerely,



Barney M. Chan  
Hazardous Materials Specialist

cc: G. Jensen, Alameda County District Attorney Office  
R. Hiett, RWQCB  
J. Brinker, Bernabe and Brinker, 1281-30th St., Oakland 94608  
J. Alt, Epigene International, 38750 Paseo Padre Pkwy., Suite  
B-4, Fremont, CA 94536  
E. Howell, files

DA-2301

# King, Shapiro, Mittelman & Buchman

Attorneys At Law

George King, P.C.  
Robert W. Shapiro, P.C.  
Mark R. Mittelman, P.C.  
Robert A. Buchman, P.C.\*  
David S. Stromberg

Christopher R. Aker  
Joan D. B. Edelson  
Paul A. Elizondo  
Marc G. Fishleder  
L. Leianne Joe  
Debra E. Keller\*  
Daniel A. King, P.C.  
Jeffrey S. Rosen  
Arne B. Sandberg  
Peter M. Sproul  
Thomas C. Tagliarini  
David S. Wallace

Of Counsel  
Jeffrey A. Leon  
James L. McIntosh

\*Resident Contra Costa Office

## Contra Costa Office

3650 Mt. Diablo Blvd.  
Suite 130  
Lafayette, CA 94549

Telephone (510) 283-1563  
Facsimile (510) 283-1595

## San Francisco Office

1592 Union Street  
Suite 167  
San Francisco, CA 94123

April 29, 1993

Please Reply To

Oakland

Refer To File Number

1016-89

VIA FACSIMILE - 510/798-1218  
(and First Class Mail)

Mr. Raymond Walker  
Walkers Hydraulics  
2322 Bates Avenue, Unit N  
Concord, California 94520

Re: 2301 East 12th Street, Oakland, California

Dear Mr. Walker:

These offices represent J. W. Silveira & Company. As such, we have been asked to intercede on their behalf concerning property located at 2301 East 12th Street, Oakland, California. It is my understanding that you performed work and services for J.W. Silveira & Company on that site and have been fully paid. Yet, it is also my information that you have failed to provide needed information to my client. This is not acceptable.

The information required by my client is as follows:

- 1) Tank closure report to county.
- 2) Dillard Trucking Invoice No. 00837, dated May 15, 1991 and manifest with all pertinent information and a letter from Walker's Hydraulics to have Dillard Trucking Company send any and all information and paperwork concerning 2301 E. 12th Street to your attention.

Mr. Raymond Walker  
April 29, 1993

Page 2

- 3) The actual size of the two (2) waste oil tanks removed.
- 4) What was the barrier material made of that was used in the tank excavation area?
- 5) A diagram showing the exact footage from the building to the oil tanks removed.
- 6) Was all excess piping removed from underground, such as suction lines and vent lines?
- 7) H&H Environment Services Manifest No. 90539081, dated December 19, 1990, showing six barrels of sludge being returned to job site at 2301 E. 12th Street on December 31, 1990. Sludge was removed from the tanks hauled off site by H&H and then returned. What was the final destination of these drums?

This same information was requested by James Brinker of Bernabe and Brinker, Inc. on April 6, 1993. Yet, he has not received a reply from your company.

The information requested is the work-product of J.W. Silveira & Company. My clients paid for your services, and is entitled to the information immediately.

If you do not immediately supply the requested information to my client, my client will hold you legally responsible for all resultant damages, including increased costs, penalties, attorneys' fees and damages.

We cannot stress enough the urgency of this matter. Your immediate attention is required.

Very truly yours,

KING, SHAPIRO, MITTELMAN & BUCHMAN

Robert W. Shapiro

RWS:ag

cc: Virginia Tracy  
James Brinker



# BERNABE AND BRINKER INC.

General Engineering Contractor • Hazardous Substances Removal • License #610617

1281 - 30th Street  
Oakland, California 94608

TEL: 510 • 451 • 3482  
FAX: 510 • 836 • 2635

April 13, 1993

Mrs. Virginia Tracy  
J.W. Silveira Realtors  
499 Embarcadero  
Oakland, CA 94606

Dear Mrs. Tracy:

We have requested simple information from Walker Hydraulics concerning the removal of the tanks at 2301 E. 12th Street, Oakland.

Mr. Walker has not replied to us or acknowledged any of our correspondence or phone calls with their company.

It appears they do not want to cooperate with a smooth transaction of information which your company has paid for and which is legally yours.

We are therefore requesting that you please contact Mr. Walker of Walkers Hydraulic with a demand for the information we need to simplify our tank closure procedure on this property.

Any delays caused by their negligence in responding to your legitimate request for information concerning the property in question, will certainly delay any solid conclusions we may arrive at pertaining to the property, these delays may incur fines by the Water Quality Control Board or other agencies. We can not stress enough the urgency of this matter.

Please strongly request the following information:

1. Tank closure report to county.
2. Dillard Trucking Invoice No. 00837, dated may 15, 1991 and manifest with all pertinent information and a letter from Walker's Hydraulics to have Dillard Trucking Company send any and all information and paperworks concerning 2301 E. 12th Street to your attention.

2wp 2301



**Epigene International**  
CONSULTING GEOLOGISTS

March 18, 1993

Mr. Barney Chan  
Alameda County Health Agency  
Division of Hazardous Materials  
Department of Environmental Health  
80 Swan Way, Rm. 350  
Oakland, CA 94621

Subject: Proposed Interim Groundwater Remediation for Site Located  
at 2301 East 12th Street, Oakland

Dear Mr. Chan;

As per our discussions on March 2, 1993, we are proposing to undertake an interim remediation of the groundwater in MW-2. This will consist of weekly purging of the well to reduce the level of floating product that was reported for the site in the November sampling of last year. The purge water will be placed in a 55 gallon drum and temporarily left on site.

During the most recent purging of the well on March 2 of this year, only approximately 1/8 inch of floating product was observed. The well was also sampled at that time, however, the analyses did not include all the tests requested in your letter. Additional samples will be collected during one of the weekly purges to complete the requested analysis.

Sincerely,

John N. Alt, CEG No.1136

cc. Mr. Jim Brinker



ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

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

March 2, 1993  
StID # 71

Mr. J. W. Silveira  
499 Embarcadero  
Oakland CA 94606

**Re: Status of Subsurface Investigation at 2301 E. 12th St.,  
Oakland CA 94601 former Mel Senna Brake Service**

Dear Mr. Silveira:

This letter serves to summarize the meeting I had today with Mr. John Alt and Mr. James Brinker regarding the status of the investigation at the above site. I was given the results of the November 1992 groundwater sampling and a proposed work plan for initial groundwater remediation. Our office agrees conceptually with the stepwise approach to site investigation but I have the following comments and concerns which were discussed during this meeting:

1. Subsequent groundwater sampling should include the entire waste oil parameters: Total Petroleum Hydrocarbons as gasoline and as diesel, BTEX, chlorinated solvents, total oil and grease, the soluble metals: cadmium, chromium, lead, nickel and zinc and semi-volatiles per the Tri-Regional Board Guidelines. These parameters should be run minimally on the downgradient well to the former waste oil tanks.
2. By April 15, 1993 your consultant should submit a site history and complete tank closure report and a work plan addendum for the determination of the lateral extent of soil contamination.
3. Immediate free product removal should be implemented in monitoring well MW-2. The specific method should be detailed to our office within the next week.
4. Although not included in the November 1992 monitoring report, all future quarterly reports should include: a table of all previous analytical results, previous and current groundwater flow directions, a gradient contour map detailing groundwater elevation and gradient direction and a map showing iso-concentration lines for petroleum hydrocarbons in soil and groundwater.


Mr. J. W. Silveira  
StID# 71  
2301 E. 12th St.  
March 2, 1993  
Page 2.

5. The approach of a groundwater treatment system is acceptable. You will need to provide a schematic map detailing the exact location of the piping and treatment system and the specification sheets for the actual equipment proposed. Please provide an anticipated schedule for the application of the appropriate permits and give the status of obtaining the permits on all subsequent quarterly reports.

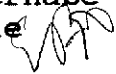
6. You should provide an accurate map indicating the location of all proposed additional wells. Again, you should provide a schedule for the application of off-site drilling permits and update the status in receiving drilling approval in all future reports.

You may contact me at (510) 271-4530 should you have any questions.

Sincerely,



Barney M. Chan  
Hazardous Materials Specialist

cc: G. Jensen, Alameda County District Attorney Office  
R. Hiett, RWQCB  
J. Alt, Epigene International, 38750 Paseo Padre Pkwy., Suite  
B-4, Fremont, CA 94536  
J. Brinker, Bernabe and Brinker, 1281-30th St., Oakland 94608  
E. Howell, file 

Mtg2301

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

February 3, 1993  
StID# 71

Mr. J. W. Silveira  
499 Embarcadero  
Oakland CA 94606

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

**FINAL NOTICE OF VIOLATION**

**Re: Request for Quarterly Monitoring Report and Work Plan  
Addendum for 2301 E. 12th St., Oakland CA formerly Mel  
Senna Brake Service**

Dear Mr. Silveira:

Thank you for the submission of the August 1992 monitoring well installation report prepared by Artesian Environmental Consultants. This report was received after my October 15, 1992 letter. Be advised that this report was only one of the items I requested in the October letter. Our office also requested a complete tank closure report, the initiation of quarterly monitoring of the three wells with the addition of a few parameters and a work plan addendum to determine the extent and remediate the soil and groundwater contamination. You were requested to supply this information to this office **within 45 days** of this letter or by December 1, 1992. To this date, our office has not received any of the requested items with the exception of the monitoring well installation report.

In the October 15, 1992 letter, you were also made aware of the potential civil liabilities for the failure to submit requested reports and the failure to properly investigate and remediate a underground tank site. Please provide the requested reports and work plan addendum to this office **within 30 days or by March 5, 1993**. Because of your previous failure to submit these documents, your case will be referred to the District Attorney Office in the event this request is not satisfied.

You may contact me at (510) 271-4530 should you have any questions.

Sincerely,

Barney M. Chan, Hazardous Materials Specialist

cc: G. Jensen, Alameda County District Attorney Office  
R. Hiett, RWQCB  
J. Brinker, Bernabe and Brinker Inc., 1281-30th St., Oakland  
CA 94608  
E. Howell, files FNOV-2301 *SBA*

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

October 15, 1992  
STID # 71

Mr. J. W. Silveira  
499 Embarcadero  
Oakland CA 94606

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: Request for Quarterly Monitoring Well Report and Site  
Update for 2301 E. 12th St., Oakland CA 94601 formerly  
Mel Senna Brake Service.

Dear Mr. Silveira:

Please be advised that the oversight of the remediation of the above sight has been transferred to the Local Oversight Program (LOP) section of the Alameda County Hazardous Materials Division. You have recently been notified of this through a "Notice of Requirement to Reimburse" letter sent to your attention from our office. The undersigned hazardous materials specialist is the assigned case worker.

You were first notified of the requirement for a subsurface investigation at this site in a letter from this office, dated March 14, 1991. As you may recall, considerable gasoline, diesel and waste oil contamination was found in soil samples taken after the removal of the four underground tanks at this site. A collection of material including hand drawn maps, receipts from the fire inspector, manifests for the tanks, analytical reports, copies of waste profiles and certificates of disposal were provided to our office from Mr. Ray Walker, the initial contractor who removed the tanks. Please be advised that this was **not** a proper tank closure report. Please submit a complete tank closure report which includes:

1. A general description of closure activities.
2. A description of any remedial activities performed at the time of the removals.
3. A to-scale figure showing the excavation size and depth, nearby buildings, sample locations and depths and piping locations.
4. A tabulation of the volume and final destination of all non-manifested contaminated soil hauled offsite .
5. Verification of the removal of all piping or the proper closure of any piping not removed.

It appears that overexcavation was not complete enough to remove all contaminated soils from the excavation areas. This should be addressed in an addendum to the initial workplan which called for the installation of three monitoring wells at this site.

Mr. J.W. Silveira  
Former Mel Senna Brake Service  
STID # 71  
October 15, 1992  
Page 2.

It was also noticed that Total Oil and Grease (TOG) and Method 8270 for semi-volatiles was not run on the soil samples taken from the waste oil pit. These parameters must be analyzed for, in addition to chlorinated solvents, Total Petroleum Hydrocarbons as gasoline and diesel (TPHg and TPHd) and selected heavy metals on all confirmation soil samples taken to show the extent of contamination around the former waste oil tanks. These parameters should also be run on the monitoring well(s) down-gradient to this area.

Our office is aware of the installation of three monitoring wells at this site, overseen by Mr. James Jacobs of Artesian Environmental Consultants. Please provide our office with a copy of the report detailing the installation of the wells and any subsequent quarterly monitoring reports. You are reminded to initiate quarterly groundwater sampling and elevations and to submit copies of these reports to our office and to that of the Regional Water Quality Control Board (RWQCB) to the attention of Mr. Rich Hiatt.

Please send your workplan addendum, a complete tank closure report and the report detailing the installation of monitoring wells to our office within **45 days** of receipt of this letter.

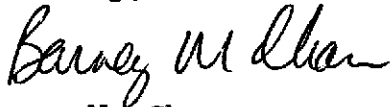
You should consider this a formal request for technical reports pursuant to the California Water Code Section 13267 (b). Be aware that failure to submit the requested documents may subject you to civil liabilities.

Our office has a Memorandum of Understanding (MOU) with the Department of Toxic Substances Control (DTSC). As such, we are empowered to enforce the regulations of the California Health and Safety Code (CH&SC), Division 20, Chapter 6.7. Section 25298 (c)4 of the CH&SC states that no person shall close an underground tank system unless the person demonstrates to the appropriate agency, which has jurisdiction over the site, 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. Section 25299 (5) allows for the civil penalty of not less than \$500 or more than \$5000 for each underground tank for each day which the operator or owner fails to properly close an underground tank as required by Section 25298. Thus failure to submit the requested documents may subject you to both civil liabilities as well as referral of the case to the District Attorney Office for enforcement.

Mr. J. W. Silveira  
Former Mel Senna Brake Service  
STID# 71  
October 15, 1992  
Page 3.

You may contact me at (510) 271-4350 should you have any questions.

Sincerely,



Barney M. Chan  
Hazardous Materials Specialist

cc: G. Jensen, Alameda County District Attorney Office  
R. Hiett, RWQCB  
Mr. J. Jacobs, Artesian Environmental Consultants, 100  
Shoreline Highway, Suite 295 B, Mill Valley, CA 94941  
E. Howell, files

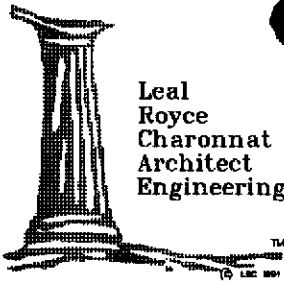
2301NOV

DATE: 2/12/92  
TO : Local Oversight Program  
FROM: BChar  
SUBJ: Transfer of Eligible Oversight Case

Please return to B.C.  
after transferring

Site name: Mel Senna Brake Service  
Address: 2301 E 12th St city Oak zip 94601  
Closure plan attached?  Y  N DepRef remaining \$ 29480  
DepRef Project # 4577133 + 4577138 STID #(if any) 71  
Number of Tanks: 4 removed?  Y  N Date of removal 12/18/90 + 2/11/91  
Samples received?  Y  N Contamination: TPHg, TPHd, TOG  
Petroleum  Y  N Types: Avgas Jet leaded unleaded Diesel  
fuel oil waste oil kerosene solvents  
Monitoring wells on site None yet Monitoring schedule?  Y  N Not yet  
LUFT category 1  2  3 \* H  S  C  A R W G O  
Briefly describe the following:  
Preliminary Assessment Soil and gw impacted ~~found~~ from the removal of 1 diesel, 1- Reg gasoline + 2 waste oil tanks at site  
Remedial Action \_\_\_\_\_  
Post Remedial Action Monitoring \_\_\_\_\_  
Enforcement Action \_\_\_\_\_

Need to see a work plan for the installation of  
mws on site. Mr. Jim Jacobs of Ardenian Env Consultants  
has verbally discussed the installation of 3 mws. Need to  
begin that. Subsurface soil contamination has been  
defined. This case has had data sent in in a very  
unorganized fashion & results need to be tabulated.  
Write a letter ~~regarding~~ <sup>requesting a</sup> the wp + a tabulation of results.  
Review W.P. Nov 27 1991 from Ardenian Env  
Consultants



Leal  
Royce  
Charonnat  
Architect  
Engineering

F A X M E M O  
August 30, 1991

Department of  
Environmental Health  
Hazardous Materials  
Program - Alameda County  
80 Swan Way, Room 200  
Oakland, California 94621

ATTN: Mr. Barney M. Chan

ARCH #: B1202-RN  
PROJECT: Tank Closure  
ADDRESS: 2301 E.12th Street  
Oakland, California

94601

COUNTY JOB NO: 3033A-R

FAX File: SIL-X-93.FAX

Dear Mr. Chan,

This letter is in response to Mr. Howell's letter of August 15, 1991 requesting an additional deposit of \$500.00 payable to Alameda County for County Job No 3033A-R at 2301 E.12th Street, Oakland, California.

Mr. Silveira is out of town until Tuesday, September 3, 1991. Until then, his office is unable to forward this deposit to you.

If you have any questions, you may reach me at the number below (Area 510).

Sincerely,

Leal Charonnat  
Architect

CC: J.W. Silveira Co.



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 Mail # P 062 127 976  
March 14, 1991

Mr. J.W. Silveira  
499 Embarcadero St.  
Oakland CA 94606

Subject: Unauthorized Release from Underground Tank Removals  
Senna Automotive  
2301 E. 12th. St.  
Oakland Ca 94601

Dear Mr. Silveira:

Alameda County Environmental Health, Hazardous Materials Division was initially informed of soil results from the removal of two underground tanks at the above referenced site by Mr. Ray Walker of Walker's Hydraulics on December 21, 1990. Considerable contamination was discovered at both ends of the 1000 gallon tank and at the east side of the 6000 gallon tank. Our agency also witnessed the underground tank removals of the other two waste oil tanks on February 11, 1991. At that time it was observed that there had been some release of the tanks' contents in the water which was vacuumed from this pit. Because of these results your site is considered to have experienced a confirmed unauthorized release of petroleum hydrocarbons which has impacted the subsurface soil and groundwater, the extent of which must be assessed and remediated.

In my January 8, 1991 letter I stated that it might be wise to wait for results from the second tank removals prior to submitting a work plan for this site so as to determine the extent of subsurface contamination. Although to this date, no analytical results have been transmitted to our office from this later tank removals, the observation of floating hydrocarbon material on the water from the excavation pit warrants a groundwater investigation. Therefore, you are requested to submit a work plan within thirty (30) days which addresses the full extent of subsurface contamination. Attached is a guidance document describing the contents of a "typical" workplan.

All proposals, reports and analytical results pertaining to this investigation and remediation must be sent to our office and the Regional Water Quality Control Board (RWQCB) to the attention of Mr. Lester Feldman. Their address is : 2101 Webster St. 4th Floor, Oakland, CA 94612. Please be aware that this is a formal request for technical reports pursuant to the California Water Code, Section 13267 (b). Any extensions of agreed upon time deadlines must be

Mr. J. W. Silveira  
March 14, 1991  
Page 2.

confirmed in writing by either this Division or the RWQCB.

Please contact me at 271-4320 should you have any questions regarding this letter.

Sincerely,

*Barney M Chan*

Barney M. Chan  
Hazardous Materials Specialist

enclosure: typical work plan

cc: Gil Jensen, Alameda County District Attorney , Consumer and Environmental Protection Division  
~~Lester Feldman~~, RWQCB  
H. Hatayama, DOHS  
Edgar Howell, Chief, Hazardous Material Division  
Ray Walker, Walker's Hydraulics, 250 Keats Circle, Pleasant Hill, CA 94523

P 062 127 976

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED  
NOT FOR INTERNATIONAL MAIL  
(See Reverse)

Sent to	Mr. J. W. Silveira
Street and No.	499 EMBARCADERO
P.O. Box and ZIP Code	OAKLAND, CA 94606
Postage	\$
Certified Fee	
Special Delivery Fee	
Registered Delivery Fee	
Return Receipt (showing by whom and Date Delivered)	
Return Receipt (showing to whom, Return and Address of Deliverer)	
TOTAL Postage and Fees	\$
Postmark or Date	

Complete items 1 and 2 when additional services are desired, and **POSTAGE** is shown.

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 boxes for additional services requested.

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

3. Article Addressed to: Mr. J. W. Silveira 499 EMBARCADERO OAKLAND, CA 94606	4. Article Number P062 127 976
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 Signature - Agent X <i>B.A. Wilson</i>	8. Addressee's Address (ONLY if requested and fee paid) Re: Mel Senna Bales Service
X Date of Delivery 19 Mar 91	

PS Form 3800, June 1989

52

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



January 8, 1991

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

Mr. Ray Walker, Walker Hydraulics  
250 Keats Circle  
Pleasant Hill, CA 94523

Re: Underground Tank Removals at 2301 E. 12th St., Oakland

Dear Mr. Walker:

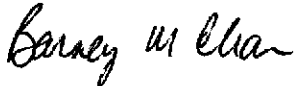
This letter recounts our conversation concerning the underground tank removals at 2301 E. 12th St., Oakland dba Mel Senna Brake Service. Alameda County Environmental Health, Hazardous Materials Division has received soil and groundwater sample results from the removal of two of the four underground tanks at the above referenced location. We have also received the unauthorized release form filled out by yourself. Two soil areas were identified as significantly impacted by Total Petroleum Hydrocarbons as gasoline and diesel. These areas were further excavated vertically and apparently have reached levels of contamination which are no longer considered hazardous. Because of the extent of contamination found at this site a workplan will be requested which minimally defines the vertical and lateral extent of the contamination and offers a plan to assess and remediate it. At this time it would be prudent to wait for the results of samples taken after the removal of the remaining two underground tanks. Any work plan at that time may be able to incorporate this area and the additional information from this location.

While the pits are open, it would be wise to take sidewall samples from both the 1000 and 6000 gallon tanks at the tank pit bottom to determine the lateral extent of contamination since it is desirable to know if contamination exists under the building or under the sidewalk. Any offsite contamination will complicate the work plan proposal. Additionally it was noticed that the confirming soil samples from both pit overexcavations was analyzed for Total Petroleum Hydrocarbons as gasoline only. Although, one expects a correlation to exist with TPH as gasoline and TPH as diesel concentrations after overexcavation, at least one confirming sample from each pit must be analyzed for both parameters to verify this correlation. To this end, additional sidewall samples should be taken from both pit floors at locations adjacent to the building and the sidewalk and at least one from each pit must be analyzed for both TPH as gasoline and TPH as diesel.

Mr. Ray Walker  
2301 E. 12th St.  
January 8, 1991  
Page 2.

You may contact the undersigned at 217-4320 should you have any questions regarding this letter.

Sincerely,



Barney M. Chan  
Hazardous Materials Specialist

cc: Gil Jensen, Alameda County District Attorney, Consumer and  
Environmental Protection Division  
Lester Feldman, RWQCB  
H. Hatayama, DOHS  
Mr. J. W. Silveria, 499 Embarcadero, Oakland CA 94606



## WALKER'S HYDRAULICS

250 KEATS CIRCLE  
PLEASANT HILL, CA 94523  
(415) 935-5518

January 3, 1991

Barney Chan  
Environmental Health  
Hazardous Materials Division  
80 Swan Way, Room 200  
Oakland, Ca 94621

RE: Senna Automotive

Attn: Mr. Chan,

As per our letter of Dec. 20th, we drilled to 17' at sample area 8 and 20' at sample area 5 to check the depth of contamination. The results are area 8, 190 MG/KG TPHG and area 5, 2 MG/KG TPHG.

At this time we had a 8010 test run for chlorinated products due to H & H finding chlorinated product in the tank sludge. This test was negative as none were detected.

At this time we should excavate the 2 holes as deep as possible, fill with clean sand, and replace the parking lot. Mr. Silveria is looking at aeriating the excavated material.

Please advise as soon as possible.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Walker". The signature is fluid and cursive.

Raymond E. Walker

c.c. J.W. Silveria

91 JAN -3 PM 2:51

# 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 checked="" type="checkbox"/> NO		STATE TANK ID # CAC000546000																																																																							
REPORT DATE 12/24/90 M M D D Y Y		LOCAL CASE # 30 DEC 38 11:39		REGIONAL BOARD CASE # CAC000546000																																																																							
REPORTED BY	NAME OF INDIVIDUAL FILING REPORT RAY WALKER		PHONE ( )		SIGNATURE <i>R Walker</i>																																																																						
	REPRESENTING <input type="checkbox"/> LOCAL AGENCY <input type="checkbox"/> OTHER <input checked="" type="checkbox"/> OWNER/OPERATOR <input type="checkbox"/> REGIONAL BOARD		COMPANY OR AGENCY NAME Walker's Hydraulics																																																																								
	ADDRESS 250 Keats Circle Pleasatn Hill, Ca 94523 STREET CITY STATE ZIP																																																																										
RESPONSIBLE PARTY	NAME JW Silveira <input type="checkbox"/> UNKNOWN		CONTACT PERSON JW Silveira		PHONE (415) 533-5864																																																																						
	ADDRESS 499 Embarcadero Street Oakland, CA 94606 STREET CITY STATE ZIP																																																																										
SITE LOCATION	FACILITY NAME (IF APPLICABLE) Senna Automotive		OPERATOR Nick Perry		PHONE (415) 533-5864																																																																						
	ADDRESS 2301 E. 12th Street Oakland, Ca 94606 STREET CITY COUNTY ZIP																																																																										
	CROSS STREET 23rd Avenue	TYPE OF AREA <input checked="" type="checkbox"/> COMMERCIAL <input type="checkbox"/> INDUSTRIAL <input type="checkbox"/> RESIDENTIAL <input type="checkbox"/> RURAL <input type="checkbox"/> OTHER	TYPE OF BUSINESS <input type="checkbox"/> RETAIL FUEL STATION <input type="checkbox"/> UNKNOWN <input checked="" type="checkbox"/> OTHER <b>AUTO PARTS</b>																																																																								
IMPLEMENTING AGENCIES	LOCAL AGENCY Alameda County		AGENCY NAME		CONTACT PERSON Barney Chan																																																																						
	REGIONAL BOARD				PHONE (415) 271-4320																																																																						
	TSCD				( )																																																																						
SUBSTANCE INVOLVED	CAS # (ATTACH EXTRA SHEET IF NEEDED) NAME				QUANTITY LOST (GALLONS)																																																																						
	(1)				<input checked="" type="checkbox"/> UNKNOWN																																																																						
(2)				<input checked="" type="checkbox"/> UNKNOWN																																																																							
DISCOVERY/ABATEMENT	DATE DISCOVERED 12/19/90 M M D D Y Y		HOW DISCOVERED <input type="checkbox"/> INVENTORY CONTROL <input type="checkbox"/> SUBSURFACE MONITORING <input type="checkbox"/> ROUTINE MONITORING <input checked="" type="checkbox"/> TANK REMOVAL <input type="checkbox"/> NUISANCE CONDITIONS <input type="checkbox"/> OTHER:																																																																								
	DATE DISCHARGE BEGAN M M D D Y Y		<input checked="" type="checkbox"/> UNKNOWN																																																																								
	HAS DISCHARGE BEEN STOPPED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF YES, DATE M M D D Y Y		METHOD USED TO STOP DISCHARGE (CHECK ALL THAT APPLY) <input type="checkbox"/> REMOVE CONTENTS <input type="checkbox"/> REPLACE TANK <input checked="" type="checkbox"/> CLOSE TANK <input type="checkbox"/> REPAIR TANK <input type="checkbox"/> REPAIR PIPING <input type="checkbox"/> CHANGE PROCEDURES <input type="checkbox"/> OTHER																																																																								
SOURCE/CAUSE	SOURCE(S) OF DISCHARGE <input type="checkbox"/> TANK LEAK <input checked="" type="checkbox"/> UNKNOWN <input type="checkbox"/> PIPING LEAK <input type="checkbox"/> OTHER (SPECIFY)		TANKS ONLY/CAPACITY <u>6000/1000</u> GAL AGE <input type="checkbox"/> YRS. <input checked="" type="checkbox"/> UNKNOWN MATERIAL <input checked="" type="checkbox"/> STEEL <input type="checkbox"/> FIBERGLASS <input type="checkbox"/> OTHER		CAUSE(S) <input type="checkbox"/> OVERFILL <input type="checkbox"/> CORROSION <input type="checkbox"/> RUPTURE/FAILURE <input type="checkbox"/> SPILL <input checked="" type="checkbox"/> UNKNOWN <input type="checkbox"/> OTHER																																																																						
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		GROUNDWATER BASIN NAME <input checked="" type="checkbox"/> UNKNOWN																																																																									
COMMENTS	COMMENTS:																																																																										
	COMPLETE AND ATTACH A CLEANUP TRACKING REPORT IF ANY CLEANUP WORK OR PLANNING HAS STARTED																																																																										

1. GENERAL

In box titled "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 tank permitting agency. Indicate whether the OES report has been filed as of the date of this report.

If space provided, enter state tank ID number if known. State ID numbers have been assigned to all tanks that are on file with the state. Enter local Resources Contained

2. REPORTED BY  
Enter your name, address, and telephone number, and

3. RESPONSIBLE PARTY  
Enter the name of the responsible party, address, and telephone number.

4. SITE LOCATION  
Enter information regarding the location of the known tank or contamination, including street name, cross street, and other landmarks.

5. IMPLEMENTING AGENCY  
Enter names of agencies involved in the response, including telephone numbers and addresses.

6. SUBSTANCES INVOLVED  
Enter the CAS# and name of each hazardous substance involved. Be as specific as possible.

7. DISCOVERY/ABATEMENT  
Provide information regarding the discovery and abatement of the discharge. More than one box may be checked in the sections titled "How Discovered" and "Method used to Stop Discharge" if appropriate.

Alameda County Health  
80 Swan Way, Room 200  
Oakland, Ca 94621  
Attn: Barney Chan



**WALKER'S HYDRAULICS**  
250 Keats Circle  
Pleasant Hill, CA 94523

8. SOURCE/CAUSE  
Indicate source(s) of discharge. Provide details on tank age, capacity and material if a tank is involved. Check box(es) indicating cause of discharge. More than one box may be checked if appropriate.

9. RESOURCES AFFECTED/AT RISK  
In section titled "RESOURCES AFFECTED" indicate whether any of the following resources were affected: (Check "N/A" if not affected.)

Number of people affected  
Number of animals affected  
Number of water resources affected  
Name of the ground-water resource affected  
Be provided.

Comments on incident. Comments on other resources affected could be reported on this form.

Other Quality Control and

Leak Control

Tank Program

CA 95814

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

OK, 12-13-90  
 PC, with noted  
 additions

ACCT 111111  
 These plans have been prepared and for  
 title and used for the purpose of the  
 local health care services to your plans.  
 One of the main reasons for these plans is  
 to provide a safe and healthy work environment  
 for all workers involved in the  
 construction of these plans and to provide  
 a safe and healthy work environment for all  
 workers involved in the construction of these  
 plans. The plans are prepared in accordance  
 with the requirements of the State and  
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 State and Federal laws and regulations.

**UNDERGROUND TANK CLOSURE/MODIFICATION PLANS**

1. **Business Name** Senna Automotive  
**Business Owner** Mr Nick Perry
2. **Site Address** 2301 E. 12th Street  
**City** Oakland **Zip** 94606 **Phone** 415-533-5864
3. **Mailing Address** 2301 E. 12th Street  
**City** Oakland **Zip** 94606 **Phone** 415-533-5864
4. **Land Owner** J.W. Silveira  
**Address** 499 Embarcadero **City, State** Oakland, Ca **Zip** 94606
5. **EPA I.D. No.** CAC000546000
6. **Contractor** Walker's Hydraulics  
**Address** 250 Keats Circle  
**City** Pleasant Hill, Ca 94523 **Phone** 415-935-5518  
**License Type** C-61 **ID#** ~~56~~-370288
7. **Consultant** Leal Charonnat - Architect Engineering  
**Address** P.O. Box 3960  
**City** Berkeley, Ca **Phone** 415-436-3466



8. Contact Person for Investigation

Name Leal Charonnet Title Consultant Engineer

Phone 415-436-3466

9. Total No. of Tanks at facility 4

10. Have permit applications for all tanks been submitted to this office? Yes [XX] No [ ]

11. State Registered Hazardous Waste Transporters/Facilities

a) Product/Waste Tranporter

Name All American Oil EPA I.D. No. CAC000546000

Address P.O. Box 625

City Pleasant Hill State CA Zip 94566

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 H & H Environmental EPA I.D. No. CAC000546000

Address P.O. Box 77363

City San Francisco State CA Zip 94107

e) Contaminated Soil Transporter

Name H & H Environmental EPA I.D. No. CAC000546000

Address P.O. Box 77363

City San Francisco State CA Zip 94107

12. Sample Collect

Name \_\_\_\_\_  
 Company Trace Analysis Laboratory, Inc  
 Address 3423 Investment Boulevard, #8  
 City Hayward State CA Zip 94545 Phone 415-783-6960

13. Sampling Information for each tank or area

Tank or Area		Material sampled	Location & Depth
Capacity	Historic Contents (past 5 years)		
A) 500	None gasoline	Soil and groundwater if encountered	minimum 1 spk, 1-2' into natural
B) 6000	None diesel		1 spk, ea end tank, 1-2' into natural
C) 500	None waste oil		min 1 spk, 1-2' into natural
D) 500	None waste oil		min 1 spk, 1-2' into natural

14. Have tanks or pipes leaked in the past? Yes [ ] No [X]

If yes, describe. \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

15. NFPA methods used for rendering tank inert? Yes [X] No [ ]

If yes, describe. Dry Ice ~ 1015# / 1000 gal Capacity

An explosion proof combustible gas meter shall be used to verify tank inertness.

16. Laboratories

Name Trace Analysis Laboratory, Inc  
 Address 3423 Investment Boulevard, #8  
 City Hayward State Ca Zip 94545  
 State Certification No. 122

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
	<i>Soil</i>	<i>Water</i>
<i>Gasoline</i>	TPH g 5030 GC FID BTX+E 8020 or 8240 Total Lead - AA	5030 GC FID 802 or 624
<i>Diesel</i>	TPH d 3550 GC FID BTX+E 8020 or 8240	3510 GC FID 602 or 624
<i>Waste Oil</i>	TPH g 5030 GC FID TPH d 3550 GC FID BTX+E 8020 or 8240 Cl HC 8010 or 8240 Metals : Cd, Cr, Pb, Zn, Ni Total	5030 GC FID 3510 GC FID 602 or 624 601 or 624 metals : Cd, Cr, Pb, Zn, Ni Total

18. Submit Site Safety Plan

19. Workman's Compensation: Yes [] No [ ]

Copy of Certificate enclosed? Yes [] No [ ]

Name of Insurer \_\_\_\_\_

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.

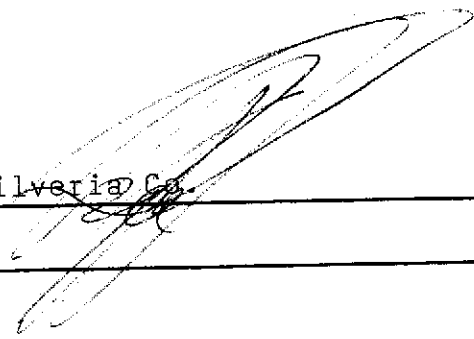
I understand that all work performed during this project will be done in compliance with all applicable OSHA (Occupational Safety and Health Administration) requirements concerning personnel and safety.

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) Walker's Hydraulics  
Signature   
Date 12-22-90

Signature of Site Owner or Operator

Name (please type) J.W. Silveria Co.  
Signature   
Date 12/13/90

Tank Closure, Senna Automotive, 2301 E. 12 th. St. Oakland.  
1 6000 gal. diesel, 1 550 gal. gas, 2 550 waste oil tanks

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



November 16, 1990

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

Mr. J. W. Silviera  
499 Embarcadero  
Oakland Ca 94606

Re: Underground Tank Closure/Modification Fees for Underground  
Tanks at 2301 E. 12th Street, Oakland 94606

Dear Mr. Silviera:

Due to a misunderstanding with Mr. Charonnat as to the number of underground tanks at the above referenced site, I informed you incorrectly as to the County's fees for the oversight of the planned underground tank removals. We are in receipt of the check for \$558.00, the fee for the removal of two (2) tanks as was my understanding as to the number of tanks. The fee for the removal of four (4) tanks is \$933.00 therefore we request that you send a check for \$375.00, the difference between fees for (4) and (2) tank removals. Please reference the above address on this check. I apologize for any inconvenience this may have caused you.

Please contact the undersigned at 271-4320 should you have any questions.

Sincerely,

Barney M. Chan,  
Hazardous Materials Specialist

cc: Mr. Leal Charonnat, P.O. 3960, Berkeley, CA 94703  
files

LEAL CHARONNAT ARCHITECT

Silveira Prop  
492 Embroidery - 94606  
834-9810

FAX MEMO  
90 NOV 15 PM 2:12

November 15, 1990

Department of  
Environmental Health  
Hazardous Materials  
Program - Alameda County  
80 Swan Way, Room 200  
Oakland, California 94621

ATTN: Mr. Barney M. Chan  
JOB: A1001-HZ  
PROJECT: Tank Closure  
ADDRESS: 2301 E.12th Street  
Oakland, California

Arch Fax File: SIL-X-50.FAX

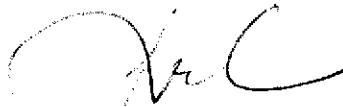
Dear Mr. Chan,

This is in response to your letter of November 8, 1990 to Mr. J.W. Silveira regarding his intentions for closing the tanks at the subject address. Mr. Silveira wishes to have the tanks closed and removed.

Enclosed is a preliminary Underground Tank Closure / Modification Plans. We will be forwarding a copy by mail with a check for \$558.00. We hope to have all contractors lined up within the next few weeks.

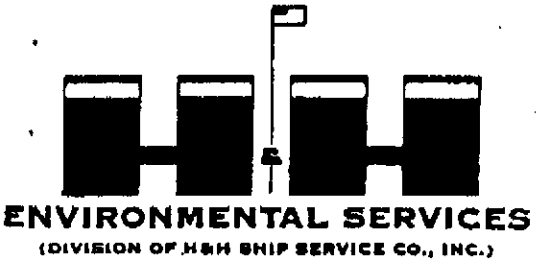
If you have any further questions, please contact us at the number below.

Sincerely,



Leal Charonnat  
Architect

CC: J.W. Silveira Co.  
Walker Hydraulics



WASTE CHARACTERIZATION FORM

LAB: (415)543-0906

220 CHINA BASIN, SAN FRANCISCO, CA 94107 • DAY AND NIGHT: 543-4835



I. WASTE GENERATOR

US EPA IDN: CAC000546000
Facility: Senna Automotive
Address: 2301 E. 12th Street
City/State: Oakland, Ca Zip: 94606
Contact: Nick Perry Telephone: (415) 533-5864

II. DESCRIPTION OF WASTE

1. General Description: 3ea of 550 gal. & 1ea of 6000 gal.
2. Process Generating this Waste: Commissioning of tanks
3. Is this listed under F, K, P, or U? yes \_\_\_ no XX
4. Quantity: 4 tons \_\_\_ yards \_\_\_ gallons 550 & 6000
5. Frequency: weekly \_\_\_ monthly \_\_\_ annually \_\_\_ once XX
other \_\_\_
6. Shipment Mode: bulk \_\_\_ drums \_\_\_ other XX

III. WASTE CLASSIFICATION & SHIPPING DESCRIPTION

1. California Waste Category Number: 512
2. EPA Waste Code Number: N / A
3. Proper DOT Shipping Name: Calif. only regulated waste

IV. HAZARD CLASS

Toxic XX Corrosive \_\_\_ Radioactive \_\_\_
Reactive \_\_\_ Ignitable \_\_\_ Etiological \_\_\_

V. CHARACTERISTICS OF WASTE

1. Is this a: liquid \_\_\_ sludge \_\_\_ solid XX
Stratification: none XX two \_\_\_ multi- \_\_\_ (layers)
2. Viscosity (Liquids) Similar to: water \_\_\_ motor oil \_\_\_ honey
3. Odor: none \_\_\_ mild \_\_\_ strong \_\_\_ describe: \_\_\_
Specific Gravity (range): -
4. pH: < 3 \_\_\_ > 12 \_\_\_ Actual \_\_\_ Range -
5. Flash Point: < 70°F \_\_\_ > 140°F \_\_\_ Actual \_\_\_
Determined by: Closed Cup \_\_\_ Open Cup \_\_\_

VI. CHEMICAL COMPOSITION

	RANGE		%
	MIN.	MAX.	
1. Empty steel fuel tank	100	100	%
	-	-	%
	-	-	%
	-	-	%
	-	-	%
	-	-	%
	-	-	%
	-	-	%
	-	-	%
	-	-	%
Must be equal or greater than 100% - Total:			%

2. Indicate if this waste contains any of the following:

Cyanides	no	<u>XX</u>	yes	_____	ppm
PCBs	no	<u>XX</u>	yes	_____	ppm
Phenolics	no	<u>XX</u>	yes	_____	ppm
Sulfides	no	<u>XX</u>	yes	_____	ppm

3. Indicate if this waste contains any of the following (total concentration of each metal must be given):

Arsenic	no	<u>XX</u>	yes	_____	ppm
Barium	no	<u>XX</u>	yes	_____	ppm
Beryllium	no	<u>XX</u>	yes	_____	ppm
Cadmium	no	<u>XX</u>	yes	_____	ppm
Chromium	no	<u>XX</u>	yes	_____	ppm
Chromium-Hex	no	<u>XX</u>	yes	_____	ppm
Cobalt	no	<u>XX</u>	yes	_____	ppm
Copper	no	<u>XX</u>	yes	_____	ppm
Lead	no	<u>XX</u>	yes	_____	ppm
Mercury	no	<u>XX</u>	yes	_____	ppm
Molybdenum	no	<u>XX</u>	yes	_____	ppm
Nickel	no	<u>XX</u>	yes	_____	ppm
Selenium	no	<u>XX</u>	yes	_____	ppm
Silver	no	<u>XX</u>	yes	_____	ppm
Thallium	no	<u>XX</u>	yes	_____	ppm
Vanadium	no	<u>XX</u>	yes	_____	ppm
Zinc	no	<u>XX</u>	yes	_____	ppm
Other				_____	ppm

VII. ADDITIONAL INFORMATION

Provide additional comments, analyses or wastestream information necessary for proper safe handling of this waste.

VIII. CERTIFICATION

I hereby certify that all information submitted in this and all attached documents contains true and accurate descriptions of this waste material, and all relevant information regarding known or suspected hazards in the possession of the generator has been disclosed.

Ausley Delaparte  
 (Signature)

December 7, 1990  
 (Date)

Office Manager  
 (Title)





# WALKER'S HYDRAULICS

250 REAR STREET  
ALBUQUERQUE, N.M. 87102  
(505) 263-1111

MEMBER OF THE IAWQ

WALKER'S HYDRAULICS, INC. HAS BEEN  
AWARDED THE CONTRACT FOR THE  
DESIGN AND CONSTRUCTION OF THE

DESIGN AND CONSTRUCTION OF THE  
WALKER'S HYDRAULICS, INC.

DESIGN AND CONSTRUCTION OF THE

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WALKER'S HYDRAULICS, INC.

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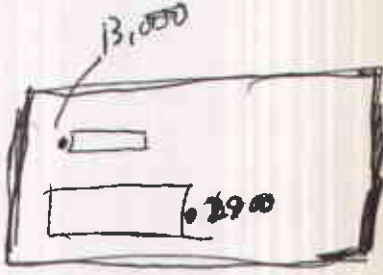
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WALKER'S HYDRAULICS, INC.

DESIGN AND CONSTRUCTION OF THE

EI 2<sup>th</sup>



12/24/90 - Spoke w/ R. Walker, he said he agreed  
down to 16-18' depth at the duty locations to determine depth  
of contamination & H<sub>2</sub>O level. He will contract Agua Terra for  
further remediation.

NAME	Representing	Phone #
Edna Howell	Alameda County	271-4320
JAMES BRINKER	BERNABE + BRINKER INC	451-3482
John Alt	Epigene International	791-1986
ROBERT SHAPIRO	Silveira	273-8833
BARNEY CHAN	ACHESA-COP	271-4530
Rich Hiett	Rwoco	286-4359
Thomas Peacode	Al - County	271-4530
GIL JENSON	ALAMUDA COUNTY DA.	589-9281

CITY OF OAKLAND



JOHN P. ROEMER  
INSPECTOR  
FIRE PREVENTION BUREAU

PHONE (415)  
273-3853

1330 BROADWAY, OAKLAND, CA 94612



**BERNABE AND BRINKER INC.**

*General Engineering Contractor  
Hazardous Substances Removal*

**JAMES E. BRINKER**  
*National Sales Manager*

1281 - 30th Street  
Oakland, California 94608  
License #610617

TEL: 510 • 451 • 3482  
FAX: 510 • 836 • 2635



**Epigene International**  
**Consulting Geologists**

**JOHN N. ALT**  
Engineering Geologist

38750 Paseo Padre Pkwy., Suite B-4  
Fremont, California 94536

BUS: (510) 791-1986  
FAX: (510) 791-3306