

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



SENT
8-9-05

August 8, 2005

Mr. Richard Smooke
865 Figueroa St., 29th Floor
Los Angeles, CA 90013-2219

Mr. Howard Schwimmer
Rexford Industrial, LLC
11601 Wilshire Blvd., Suite 650
Los Angeles, CA 90025

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

Dear Messrs. Smooke and Schwimmer:

Subject: Fuel Leak Site RO0000418, 3925 Alameda Ave., Oakland, CA 94601

Alameda County Environmental Health has received Water Board concurrence for closure of the subject underground tank site. Prior to issuing closure, we require that you properly destroy the four monitoring wells at this site. Please contact the Alameda County Public Works Agency at (510) 670-6633 for specific requirements and send our office a copy of the well destruction report.

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

Sincerely,

Barney M. Chan
Hazardous Materials Specialist

C: files, D. Drogos
Mr. S. Miller, Erler and Kalinowski, 1870 Ogden Drive, Burlingame, CA, 94010
Wlclrq3925Alameda Ave

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



SWT
11-18-04

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

November 17, 2004

Mr. Richard Smooke
Smooke & Son Investment Co.
865 Figueroa St., 29th Floor
Los Angeles, CA 90017

Mr. Howard Schwimmer
Rexford Industrial, LLC
11601 Wilshire Blvd., Suite 650
Los Angeles, CA 90025

INTENT TO MAKE A DETERMINATION THAT NO FURTHER ACTION IS REQUIRED
OR ISSUE A CLOSURE LETTER FOR RO0000418, U. S Cold Storage, 3925 Alameda
Ave., Oakland, CA 94601

Dear Messrs. Smooke and Schwimmer:

This letter is to inform you that Alameda County Environmental Health Department, Local Oversight Program (LOP), intends to make a determination that no further action is required at the above site or to issue a closure letter. Please notify this agency of any input and recommendations you may have on these proposed actions within 20 days of the date of this letter.

In accordance with section 25297.15 of Ch. 6.7 of the Health & Safety Code, you must provide certification to the local agency that all of the current record fee title owners have been informed of the proposed action. Please provide this certification to this office within 20 days of the date of this letter. You may use the enclosed example letter (#3) for your reply.

If you have any questions about these proposed actions, please contact the undersigned at (510) 567-6765.

Sincerely,

Barney M. Chan
Hazardous Materials Specialist

enclosure

c: B. Chan, D. Drogos

SAMPLE LETTER 3: NOTICE OF PROPOSED ACTION SUBMITTED TO LOCAL AGENCY

Name of local agency
Street address
City

SUBJECT: NOTICE OF PROPOSED ACTION SUBMITTED TO LOCAL AGENCY
FOR *(Site Name and Address)*

In accordance with section 25297,15(a) of Chapter 6.7 of the Health & Safety Code, I, *(name of primary responsible party)*, certify that I have notified all responsible landowners of the enclosed proposed action. Check space for applicable proposed action(s):

- cleanup proposal (corrective action plan)
- site closure proposal
- local agency intention to make a determination that no further action is required
- local agency intention to issue a closure letter

Sincerely,

Signature of primary responsible party

Name of primary responsible party

cc: Names and addresses of all record fee title owners

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



Letter of Transmittal
ACEH LOP/TOXIC Program

Date: November 17, 2004

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

To: Mr. Leroy Griffin	From: Barney Chan
Company: City of Oakland Fire Dept.	Company: ACEH LOP/TOXIC Program
Address: 1605 MLK Jr. Drive Oakland, CA 94612	Address: 1131 Harbor Bay Parkway, Alameda, CA 94502
Phone: 510-238-7759	Phone: 510-567-6765
Fax: 510-238-7761	Fax: 510-337-9335
e-Mail:	e-Mail: barney.chan@acgov.org

RE: Identified petroleum impacted sites near existing LOP site, which is receiving site closure for industrial use.	RO No: 0000418
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WE ARE SENDING YOU Attached Under separate cover via e-mail via Fax the following items:

COPIES	DATE	NO.	DESCRIPTION
1	7/24/87		Soil and Ground-Water Contamination Investigation 569 High St., Oakland, CA, HLA
1	12/16/96		Smith-Emery GeoServices Map and Analytical Results
1	8/2003		Erler & Kalinowski, Site Map and Analytical Results

THESE ARE TRANSMITTED as checked below:

For your use For your files For signature For approval As requested
 For review and comment

REMARKS: Leroy, our LOP investigation identified two areas of contamination near the underground fuel leak site Investigated at 3925 Alameda Ave., Oakland 94601, RO418. You will need to initiate a request for information for these Sites and transfer to the County if appropriate. The sites are 569 High St. and the SP RR tracks. Results indicate the Contamination along the RR tracks are from releases near the tracks and may be SP responsibility.

Copies To: D. Drogos

Signature

Barney Chan

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



11-18-04

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

Certified Mail #

November 15, 2004

Mr. Richard Smooke
Smooke & Son Investment Co.
865 Figueroa St., 29th Floor
Los Angeles, CA 90017

Subject: **Notice of Responsibility**

ACEH Case Number: RO0000418
Site Name: U. S. Cold Storage
Site Address: 3925 Alameda Ave.
City/State/Zip: Oakland, CA 94601
Date First Reported: 8/2/88
Substance: gasoline
Federal (x) State ()

Dear Mr. Smooke:

The following party has been added as the party responsible for the investigation and cleanup of the above site for the following reason:

Responsible Party: Rexford Industrial, LLC

Responsible Party Contact: Mr. Howard Schwimmer

Address: 11601 Wilshire Blvd., Suite 650

City/State/Zip: Los Angeles, CA 90025

ADD:	X	Reason:	New Property Owner
DELETE:		Reason:	
CHANGE:		Reason:	

Pursuant to sections 25297.1 and 25297.15 of the Health and Safety Code, you are hereby notified that the above site has been placed in the Local Oversight Program and the individual(s) or entit(ies) shown above, or on the attached list, has (have) been identified as the party(ies) responsible for investigation and cleanup of the above site. Section 25297.15 further requires the primary or active Responsible Party to notify all current record owners of fee title before the local agency considers cleanup or site closure proposals or issues a closure letter. For purposes of implementing section 25297.15, this agency has

Mr. Smooke
RO0000418
November 15, 2004
2 of 3

identified Smooke & Son Investment Co. as the primary or active Responsible Party. It is the responsibility of the primary or active Responsible Party to submit a letter to this agency within 20 calendar days of receipt of this notice that identifies all current record owners of fee title. It is also the responsibility of the primary or active Responsible Party to certify to the local agency that the required notifications have been made at the time a cleanup or site closure proposal is made or before the local agency makes a determination that no further action is required. If property ownership changes in the future, you must notify this local agency within 20 calendar days from when you are informed of the change.

Any action or inaction by this local agency associated with corrective action, including responsible party identification, is subject to petition to the State Water Resources Control Board. Petitions must be filed within 30 days from the date of the action/inaction. To obtain petition procedures, please FAX your request to the State Water Board at (916) 341-5808 or telephone (916) 341-5700.

Pursuant to section 25299.37(c) (7) of the Health and Safety Code, a responsible party may request the designation of an administering agency when required to conduct corrective action. Please contact this office at for further information about the site designation process.

If you have any questions, please call Mr. Barney Chan at (510) 567-6765.

Sincerely,


Ariu Levi, Chief
Contract Project Director

attachment

cc: Ms. Jenniffer Jordan
State Water Resources Control Board
PO Box 100
Sacramento, CA 95812

Mr. Richard Smooke
Smooke & Son Investment Co.
865 Figueroa St., 29th Floor
Los Angeles, CA 90017

Mr. Howard Schwimmer
Rexford Industrial, LLC
11601 Wilshire Blvd., Suite 650
Los Angeles, CA 90025
D. Drogos, B. Chan

Mr. Smooke
RO0000418
November 15, 2004
3 of 3

ATTACHMENT A

LIST OF PARTIES RESPONSIBLE FOR:

ACEH Case Number: RO0000418
Site Name: U. S. Cold Storage
Site Address: 3925 Alameda Ave.
City/State/Zip: Oakland, CA 94601
Date First Reported: 8/2/88
Substance: gasoline
Federal <input checked="" type="checkbox"/> State <input type="checkbox"/>

Mr. Richard Smooke Smooke & Son Investment Co. 865 Figueroa St., 29 th Floor Los Angeles, CA 90017	Responsible Party #1 Tank Owner, Tank Operator
Mr. Howard Schwimmer Rexford Industrial, LLC 11601 Wilshire Blvd., Suite 650 Los Angeles, CA 90025	Responsible Party #2 Property Owner

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



Sent 11-22-99
Including cc's

20418

November 19, 1999
StID # 3586

Mr. Richard Smooke
Smooke & Son Investment
405 Mateo St.
Los Angeles, CA 90013-2219

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

Re: Subsurface Investigation for 3925 Alameda Ave., Oakland CA 94601

Dear Mr. Smooke:

This letter serves to respond to the past reports and proposals provided to our office by your consultant, Erler & Kalinowski (E&K). As you are aware, there were several outstanding issues regarding the investigation of the petroleum release from the former gasoline and diesel tanks at this site.

One issue was the determination of the extent of contamination at this site. Your additional investigation identified soil and groundwater contamination down-gradient of this site, particularly along the railroad tracks (Smith-Emery). In addition, another earlier investigation report (HLA) identified elevated soil and groundwater contamination on the property immediately south of the referenced property, currently owned by the City of Oakland. In order to clarify the number of contaminant sources, E&K proposed to collect a soil and groundwater sample at the former location of G-6, (along the RR tracks) where elevated contamination was previously identified. If shallow soil contamination exists, this would mean that another contaminant source exists. They also propose taking two shallow soil samples along the railroad spur. Shallow soil contamination along the RR track will indicate that such contamination is widespread and may be the result of historically poor railroad practices. Lastly, they propose to collect one soil and one groundwater sample near the identified linear anomaly to determine if there may be another source from this unidentified object. These proposals are approved. Samples should be analyzed for TPH as motor oil, as diesel and as gasoline, BTEX, and MTBE.

A second issue was the human health risk assessment performed by E & K. Our office requested a copy of the input and output data sheets for their Tier 2 calculations with the site specific depth of soil contamination, 9' bgs. Although the summary table was provided in the E&K April 12, 1999 letter, the input sheet was not included. Please provide a copy of this data sheet.

Lastly, the question rose as to whether enough monitoring data exists and how this data would be interpreted. It appears that not enough monitoring data exist to perform a statistical analyses, therefore, E&K, provided a rationale as to when and how many additional sampling events would occur. E&K proposes to evaluate whether a trend exists by evaluating the data using the Mann-Kendall Test to determine if a trend exists and alpha, the confidence level of the trend. Please provide copies of the referenced sections of the US EPA statistical guidance document and the complete set of calculations when the final data is evaluated. Because additional sampling data is

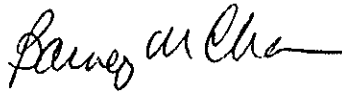
Mr. Richard Smooke
3925 Alameda Ave., Oakland 94601
StID # 3586
November 19, 1999
Page 2.

required to perform the statistical analysis, E&K proposes to sample the wells two additional times, in March 2000 and March 2001, before evaluating the data again. **Please perform an additional monitoring event in December 1999** to represent a 1999 data point. The other two sampling events are acceptable on the condition that their results are consistent with a downward trend in sample concentrations. When evaluating the final data, they should be comparable ie they should represent the highest not the average concentrations, like that expected in the newly proposed sampling events.

You should perform your additional site characterization within 90 days or no later than February 22, 2000. This will enable you determine if the prior assumptions for this site are appropriate or whether another approach is required. Please keep our office informed of any work scheduled for your site.

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

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

C: B. Chan, files

Ms. Cindy Kao, Erler & Kalinowski, Inc., 1730 So. Amphlett Blvd., Suite 320, San Mateo,
CA 94402

Mr. J. Cotton, City of Oakland Public Works, 250 Frank H. Ogawa Plaza, Suite 5301,
Oakland, CA 94612

Stat3925Alameda

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



SITE: 3925 Alameda Ave.

RO # 418

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

November 18, 1998

Mr. Joseph Cotton
City of Oakland-Public Works
Environmental Services-Dalziel Bld.
250 Frank H. Ogawa Plaza, Suite 5301
Oakland CA 94612

Re: Report for 569 High St., Oakland CA 94601

Dear Mr. Cotton:

Enclosed please find a copy of the previously discussed HLA report for grab groundwater samples taken from 569 High St. In these samples, elevated petroleum contamination was exhibited. The site to the north, 3925 Alameda Ave., is investigating a fuel release from USTs and would like to determine if we are looking at one or two releases. It is their consultant's opinion that contamination near the RR tracks is from the City's site. Please provide our office any information regarding the past usage of the City site, particularly that which would account for surface staining as mentioned in the HLA report. I have also enclosed a site map indicating the location of the geoprobes performed by the neighboring site and a summary table of analytical results.

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

Sincerely,

Barney M. Chan
Hazardous Materials Specialist

Enclosures

C: B. Chan, files

569High

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



Ro# 418

November 2, 1998
StID # 3586

Mr. Richard Smooke
Smooke & Son Investment
405 Mateo St.
Los Angeles, CA 90013-2219

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

Re: Subsurface Investigation and Tier 1 Risk Based Corrective Action (RBCA) for 3925 Alameda Ave., Oakland CA 94601

Dear Mr. Smooke:

Our office has received and reviewed the site history and the Tier-1 RBCA Assessment for the above site as prepared by your consultant, Smith-Emerly GeoServices. This report requests site closure based on the site's low-risk Tier 1 RBCA status and the confirmed remedial strategy of passive monitoring to verify stable conditions.

At this time, our office does not concur with the recommendation of your consultant. This decision is based on the following observations:

- A low-risk soil and /or groundwater site as defined by the Regional Water Control Board must be adequately characterized. A Harding Lawson July 24, 1987 report indicates that the petroleum hydrocarbon release from this site may have migrated to 569 High St.
- Groundwater concentrations must be shown to be stable or decreasing. Although groundwater monitoring on wells MW-1 through MW-3 has occurred from 1995-1996, monitoring well MW-4 has been sampled only twice. In addition, the total petroleum hydrocarbons as diesel and gasoline (TPHg and TPHd) and BTEX concentrations in groundwater have not shown the characteristics of natural attenuation.
- The site should present no significant risk to human health. Certain assumptions made in the Tier 1 RBCA will require discussion prior to its acceptance. These points include the use of an acceptable risk as 1 in 10,000 (10-4) and the estimation of soil and groundwater concentrations at the site.

Our office requires the continuation of quarterly groundwater monitoring. We recommend additionally sampling and analysis of the bio-attenuation parameters; dissolved oxygen, oxidation-reduction potential, nitrate, sulfate and ferrous iron in addition to TPHg, TPHd, BTEX and MTBE. MTBE should be confirmed on the highest MTBE impacted well using EPA Method 8240 or 8260. Please have your consultant review the referenced Harding Lawson report and comment if additional off-site investigation is necessary. Should they concur with the County's opinion, please submit a work plan for the additional off-site characterization along with your groundwater monitoring report.

Please submit your monitoring report and characterization work plan **within 45 days or by December 18, 1998.**

Mr. Richard Smooke
3925 Alameda Ave.
StID # 3586
November 2, 1998
Page 2.

Should your consultant want to discuss the specific items of concern please contact me at (510) 567-6765 if you have any questions.

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

C: B.Chan, files
Mr. Rick Widebrook, Smith-Emery GeoServices, Hunters Point Shipyard, Bld. 114,
P.O. Box 880550, SF, CA 94188-0550

Mon-rep3925

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY



DAVID J. KEARS, Agency Director

20418

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

August 1, 1996
StID # 3586

Mr. Richard Smooke
Smooke and Sons Investment Co.
405 Mateo St.
Los Angeles, CA 90013-2219

**Re: Work Plan Approval for Subsurface Investigation at 3925
Alameda Ave., Oakland CA 94601**

Dear Mr. Smooke:

Our office has received and reviewed the July 23, 1996 Smith-Emery Geoservices **Site Characterization and Risk Assessment Work Plan**. This report is in response to my previous request for further site characterization. Additionally, a Tier 1 Risk Based Corrective Action (RBCA) assessment will be done to prioritize this site and determine if it qualifies as a "low risk" site.

The work plan calls for the installation of six (6) Geoprobe borings, the collection of water and soil samples from the borings and the installation of two (2) additional monitoring wells. All five (5) wells would then be monitored collectively. The Tier 1 RBCA assessment report will be prepared after this investigation. Because I have already discussed the above approach with Smith-Emery, the work plan is approved, however, please note the following additional conditions/requirements:

1. When monitoring the wells at this site, please add the analyte MTBE to the others proposed; TPHg, TPHd and BTEX. This is required to satisfy the Water Board's request to determine the risk this chemical poses to groundwater and human health. Since MTBE is transported in groundwater, soil samples need not be run for this analyte.
2. You may limit the number of soil boring samples to be analyzed to those which detect significant impact through field screening with the FID or PID instrument.
3. Please survey all wells, old and new, to mean sea level (MSL).
4. Please confirm the locations of the additional wells with our office prior to installation. Please note, there may not be a need to install an additional upgradient well.

Mr. R. Smooke
3925 Alameda Ave.
StID # 3586
August 1, 1996
Page 2.


5. Please hold-off performing the proposed Tier1 RBCA assessment until the additional wells have be installed and monitored and the site has been adequately characterized.

6. Please note that all reports should be sent to the Alameda County Environmental Health office. The Regional Water Quality Control Board (RWQCB) and the City of Oakland do not require any copies of your technical reports.

7. Please notify the County **72 working hours** prior to your field work so I may arrange to be present if possible.

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

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

c: Mr. M. Grant, Smith-Emery GeoServices, Hunters Point
Shipyard, Bld 114, P. O. Box 880550, San
Francisco, CA 94188-0550

G. Coleman, files

wpap3925

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY



DAVID J. KEARS, Agency Director

R0418

July 12, 1996
StID # 3586

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

Mr. Richard Smooke
Smooke and Sons Investment Co.
405 Mateo St.
Los Angeles, CA 90013-2219

NOTICE OF VIOLATION

**Re: Request for Additional Subsurface Investigation at 3925
Alameda Ave., Oakland CA 94601**

Dear Mr. Smooke:

In the County's May 28, 1996 letter, you were requested to provide a work plan for additional subsurface investigation by July 1, 1996. As of date, our office has yet to receive this report. In the interim, our office has received Smith-Emery GeoServices' 2nd quarterly groundwater monitoring report for this site. Results from this monitoring event continue to indicate that the former gasoline and diesel tanks on this site are the source of elevated gasoline and BTEX (benzene, toluene, ethylbenzene and xylenes) contamination.

Please submit your work plan to fully characterize this site within 30 days or by August 13, 1996.

Failure to submit the requested technical report and undertake the required corrective action may result in fines up to \$5000-\$10,000 per day per tank in accordance to the Health and Safety Code section 25299 and section 25299.76.

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

Sincerely,

Barney M. Chan
Hazardous Materials Specialist

c: Mr. Miles Grant, Smith-Emery GeoServices, Hunters Point
Shipyard, Bld 114, P. O. Box 880550, San Francisco,
CA 94188-0550

G. Coleman, files
nov3925

ALAMEDA COUNTY
HEALTH CARE SERVICES



RO# 418

AGENCY
DAVID J. KEARS, Agency Director

ARNOLD PERKINS, DIRECTOR

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

May 28, 1996
StID # 3586

Mr. Richard Smooke
Smooke and Sons Investment Co.
405 Mateo St.
Los Angeles, CA 90013-2219

**Re: Request for Additional Subsurface Investigation at 3925
Alameda Ave., Oakland CA 94601**

Dear Mr. Smooke:

Previously, there was suspicion that the above referenced site was being impacted by the petroleum release from the former Ekotek Lube site at 4200 Alameda St. and therefore on-going monitoring should be the only requirement. In fact, the May 14, 1996 Smith-Emery GeoServices report recommends closure of this site as a "low risk groundwater" case. However, based on additional data from the Ekotek Lube site and the continuing trends in onsite groundwater contaminant concentrations, our office does not concur with this recommendation.

There is significant information which suggests that the diesel and gasoline release from this site, 3925 Alameda Ave., is the primary contributor to the petroleum contamination beneath the site. Such existing evidence includes:

1. A recent February 1996 offsite investigation was performed at the former Ekotek Lube site. A boring was installed between the Ekotek site and 3925 Alameda Ave. where soil and grab groundwater samples were taken. Although dissolved diesel and motor oil was detected in the water sample, no gasoline or BTEX was found in either groundwater or soil. Additionally, the upgradient well to the 3925 Alameda Ave. site, on the Ekotek site, has not detected Total Petroleum Hydrocarbons as gasoline or BTEX.
2. The upgradient well on your site, MW-3, has consistently shown low to non-detectable concentrations of gasoline and BTEX, while the downgradient wells, MW-1 and MW-2 have detected elevated gasoline and BTEX concentrations.

Based on these observations, it appears that your site has not been appreciably affected by gasoline or BTEX from the former Ekotek site. One may expect that low levels of dissolved diesel or motor oil may be impacting your site, however, the diesel concentration at your site has been higher downgradient from the former tanks as opposed to upgradient.

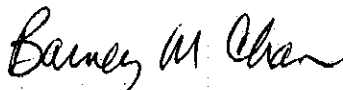
Mr. Richard Smooke
StID # 3586
3925 Alameda Ave.
May 28, 1996
Page 2.

Consistent with the Regional Water Quality Control Board's recommendations for investigating "low risk groundwater cases", you are required to characterize the extent of petroleum contamination in soil and groundwater, particularly downgradient of the former tank. You may want to first determine this by using temporary borings (Geoprobe, CPT, hydropunch et al) prior to installing permanent well(s). After this is done, you must also verify that the site poses no significant risk to human health or the environment. Some type of risk evaluation must be performed.

Please submit a work plan for additional site characterization to our office **within 30 days or by July 1, 1996.**

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

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

c: Mr. R. Widebrook, Smith-Emery GeoServices, Hunters Point
Shipyard, Bld 114, P. O. Box 880550, San Francisco,
CA 94188-0550
G. Coleman, files

wprq3925

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



20418

January 8, 1996
StID # 3586

Mr. Paul Wren
Smooke and Sons Investment Co.
405 Mateo St.
Los Angeles, CA 90013

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

Re: 3925 Alameda Ave., Oakland CA 94601

Dear Mr. Wren:

Our office has received and reviewed the December 16, 1996 Smith-Emery Geoservices **Monitoring Well MW4 Installation and Geoprobe Sampling** report. This report details results of additional subsurface borings advanced downgradient of the former gasoline and diesel tanks and documents the installation of well MW4, intended to delineate the extent of the groundwater contaminant plume. The report concludes that there are two centers of petroleum contamination releases, one near the former underground tanks and one near the southeast border of the property on 569 High St. The natural next assumption is that petroleum contamination detected in MW4 likely comes from the second petroleum release point due to its proximity to MW4.

Further, the report anticipates that confirmatory monitoring consistent with a "low risk groundwater case" should lead to eventual site closure.

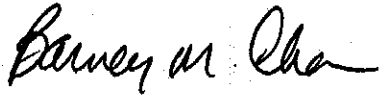
At this time, our office does not agree that two petroleum releases exist and that MW4 is monitoring the second release. Soil samples taken from borings from MW4 did not indicate a high source of petroleum contamination. In addition, the soil sample from boring G6 did not detect petroleum hydrocarbon contamination. Though the grab groundwater sample from boring G6 detected elevated petroleum, these types of water samples typically detect higher than actual groundwater contaminant levels as documented in the sampling and analysis of MW4. Also, the first monitoring event typically yields higher than average petroleum concentration.

Our office does not discount the possibility of two sources, however, we feel that more groundwater monitoring must be done to establish a concentration trend. The report refers 569 High St. as a LUST site. Please provide copies of reports which document a petroleum release at this location.

Please feel free to contact me at (510) 567-6765 if you have any questions regarding this letter.

Mr. Paul Wren
StID # 3586
3925 Alameda Ave.
January 8, 1997
Page 2.

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

c:R. Widebrook, Smith-Emery GeoServices, Hunters Point Shipyard,
Bld. 114, P.O. Box 880550, SF CA 94188-0550

B. Chan, files

qm3925

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, Assistant Agency Director

R04180

December 7, 1995
StID # 3586

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

Mr. Richard Smooke
Smooke and Sons Investment Co.
405 Mateo St.
Los Angeles, CA 90013

Re: Comment on Q 3 Groundwater Monitoring Report and the November 22, 1995 Letter from Smith-Emery GeoServices for 3925 Alameda Ave., Oakland CA 94601

Dear Mr. Smooke:

Our office has received and reviewed the above referenced reports for 3925 Alameda Ave. as prepared by your consultant, Smith-Emery GeoServices. Recall, these reports details the second monitoring event of the three monitoring wells around the former gasoline and diesel underground tanks at this site and comments on my August 28, 1995 letter.

The monitoring data is consistent with the initial result with significant gasoline, diesel, kerosene and BTEX in groundwater being detected. The November 22, 1995 letter requests that only groundwater monitoring be required until the contaminant plume from the former Ekotek Lube site has been defined. This is a reasonable request and no additional investigation other than groundwater monitoring is required at this time.

Should you choose to analyze for contaminants specific to the Ekotek site, our office recommends the analysis of halogenated volatile organics, Method 8010, rather than the semi-volatiles mentioned in the November letter. Our office will keep you informed on the progress of plume definition at the Ekotek site and notify you if any additional work is required.

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

Sincerely,

Barney M. Chan
Hazardous Materials Specialist

cc: Mr. R. Widebrook, Smith Emery, Hunters Point Shipyard, Bldg.
114, P.O. Box 880550, SF, CA 94188-0550
G. Coleman, files

mon3925

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



R0418

RAFAT A. SHAHID, Director

DEPARTMENT OF ENVIRONMENTAL HEALTH
Environmental Protection Division
1131 Harbor Bay Parkway, #250
Alameda, CA 94502-6577
(510) 567-6700

August 28, 1995
StID # 3586

Mr. Richard Smooke
Smooke and Sons Investment Co.
405 Mateo St.
Los Angeles, CA 90013

**Re: Comment on July 21, 1995 Smith-Emery Well Installation Report
for 3925 Alameda Ave., Oakland CA 94601**

Dear Mr. Smooke:

Our office has received and reviewed the above referenced report for 3925 Alameda Ave. as prepared by your consultant, Smith Emery GeoServices. Recall, this report details the installation of three monitoring wells around the former gasoline and diesel underground tanks at this site.

Initial results indicate both soil and groundwater contamination with the highest concentrations detected in monitoring well MW-1. Whether the soil contamination found is from groundwater migration or through soil migration is debateable. Based on these results you must, at a minimum, initiate quarterly groundwater monitoring. Please submit your quarterly monitoring reports to our office within 60 days of the sampling date. Should future monitoring results be consistent with the initial results, you will be requested to determine the extent of the petroleum contaminant plume. At this time, it does not appear that the former Ekotek Lube site is directly affecting the groundwater beneath your site.

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

Sincerely,

A handwritten signature in cursive script that reads "Barney M. Chan".

Barney M. Chan
Hazardous Materials Specialist

cc: Mr. R. Widebrook, Smith Emery, Hunters Point Shipyard, Bldg.
114, P.O. Box 880550, SF, CA 94188-0550

L. Todd, files

mws3925

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



R0418

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

May 16, 1995
StID # 3586

Mr. Richard Smooke
Smooke and Sons Investment Co.
P.O. Box 1311
Los Angeles CA 90053-1311

**Re: Work Plan Approval for Monitoring Well Installations at
3925 Alameda Ave., Oakland CA 94601**

Dear Mr. Smooke:

Our office has received and reviewed the May 11, 1995 Work Plan for the above referenced site as prepared by your consultant, Smith-Emery GeoServices. I have discussed its contents with Mr. Rich Widebrook of Smith-Emery and he has provided a one page letter and a revised site map incorporating the changes we discussed. Based on the contents of the May 15, 1995 revised work plan modification, the work plan is acceptable and you may schedule the field work as soon as possible.

Please contact me **at least 48 working hours prior to your field work** so I may arrange to be present if possible.

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

Sincerely,

Barney M. Chan
Hazardous Materials Specialist

cc: Mr. Rick Widebrook, Smith-Emery GeoServices, P.O. Box 880550
San Francisco, CA 94188-0550

B. Reynolds, files

2wpap3925

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



R0418

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

July 5, 1994
StID # 3586

Mr. Richard Smooke
Smooke and Sons Investment Co.
P.O. Box 1311
Los Angeles, CA 90053-1311

Re: Comment on May 13, 1994 Report on Soil and Groundwater
Sampling for 3925 Alameda Ave., Oakland CA 94601

Dear Mr. Smooke:

Our office has received and reviewed the above report as provided by your consultant, Engeo Incorporated. As you are aware, this report details the results of soil and groundwater analysis performed at this site in March of 1994. The results indicate residual soil and groundwater contamination in the former tank pits. This report recommends, as your next step, the installation of three monitoring wells to determine the extent of petroleum contamination. A map showing the proposed well locations was included. Our office agrees with this approach and you should proceed immediately with the following conditions:

1. Please send a revised site map should the locations of the proposed wells change.
2. Please consider insuring that the monitoring wells proposed be amenable to groundwater extraction. The concentration in the initial grab water samples indicate the need for remediation.
3. Our office recommends the analysis of total dissolved solids and conductivity on future groundwater samples. This will help determine if the groundwater beneath this site is considered of drinking water quality. Please inform our office 48 working hours prior to any field work so I may arrange to be present if possible.

You are reminded that eligibility to the State Water Board Cleanup Fund requires the ongoing implementation of site investigation. You should therefore, proceed with the monitoring well installations within 90 days of this letter.

Mr. Richard Smooke
StID # 3586
3925 Alameda Ave.
July 5, 1994
Page 2.

Please note that our office has recently moved to 1131 Harbor Bay Parkway, 2nd Floor, Alameda CA 94502. Until our phone system is up and running, you may leave a voice message for me at (510) 271-4310.

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

cc: B. Flaherty, Engeo Inc., 2401 Crow Canyon Rd., Suite 200,
San Ramon, CA 94583
E. Howell, files

2wp3925

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



R0418

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

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

September 30, 1993
StID # 3586

Mr. Richard Smooke
Smooke & Sons
405 Mateo St.
Los Angeles, CA 90013

**Re: Evaluation of August 26, 1993 Revised Work Plan for
Subsurface Investigation at 3925 Alameda Ave., Oakland,
CA 94601, formerly U.S. Cold Storage**

Dear Mr. Smooke:

Our office has received and reviewed the work plan for subsurface investigation at the above referenced site as prepared by your consultant, Engeo Incorporated. I have also discussed its contents with Mr. Brian Flaherty of Engeo. Recall, the most recent work plan is a revision of the original work plan submitted with the September 2, 1993 cover letter.

The revised work plan calls for the installation of three to four borings within the former tank pit. Two soil samples from each boring plus a groundwater sample via a Hydropunch would be collected and tested for the following parameters: Total Petroleum Hydrocarbons as gasoline (TPHg), as diesel (TPHd), and as kerosene (TPHk) and for benzene, toluene, ethylbenzene and xylenes (BTEX). Please note TPHk was requested to determine if this site is potentially being impacted by the Ecotek Lube site located across the street.

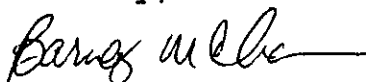
During my discussion with Mr. Flaherty, we talked about being flexible with the exact number, location, and analytes of the samples. It was noted that, if possible, additional borings in the assumed upgradient and downgradient location relative to the former tank pit will be taken to further characterize the site. This procedure is encouraged, since the next step, monitoring well(s) installation, requires the complete characterization of the site. Therefore, based on the ease of drilling and sampling encountered the day of drilling, up to seven borings (four within and three outside of the original tank pit), will be advanced and up to four groundwater Hydropunch samples will be taken.

You may proceed with this work plan as soon as possible. Please contact me **48 working hours** prior to performing of this work.

Mr. Richard Smooke
StID # 3586
3925 Alameda Ave.
September 28, 1993
Page 2.

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

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

cc: B. Flaherty, Engeo Inc., 2401 Crow Canyon Road, Suite 200,
San Ramon, CA 94583

E. Howell, file

wp-3925

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

R0418

August 2, 1993
StID # 3586

Smooke & Sons
405 Mateo St.
Los Angeles, CA 90013
Attn: Mr. Richard Smooke

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

NOTICE OF VIOLATION

**Re: Request for Work Plan for Subsurface Investigation at 3925
Alameda Ave., Oakland CA 94601, formerly U.S. Cold Storage**

Dear Mr. Smooke:

Our office last wrote to you in a January 27, 1993 letter. In this letter you were requested to provide a work plan for the subsurface investigation necessary at the above site due to the release of gasoline and diesel fuel detected at the time of the tank removals. In addition you were requested to provide receipts for the disposal of tanks and the receipts for the disposal of any contaminated soils. If any stockpiled soils were reused, you were to provide the analytical results of these soils. A copy of **Appendix A**, a guidance document illustrating the elements of an initial work plan was also included in this letter. You were to have provided the requested documents, to our office within 45 days or by March 15, 1993. To this date, over 4 months later, our office has not received the requested information. Please provide the requested work plan and receipts to our office **within 30 days or by September 3, 1993.**

You are reminded that you should consider this a formal request for technical reports as provided in the California Water Code Section 13267 (b). Failure to provide the requested information may subject you to civil liabilities.

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

Sincerely,

Barney M. Chan
Hazardous Materials Specialist

cc: G. Jensen, Alameda County District Attorney Office
E. Howell, files
NOV-3925

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



R0418

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

January 27, 1993
StID # 3586

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

Smooke & Sons
405 Mateo St.
Los Angeles, CA 90013
Attn: Mr. Richard Smooke

**Re: Request for Work Plan for Subsurface Investigation at 3925
Alameda Ave., Oakland CA 94601, formerly U.S. Cold Storage**

Dear Mr. Smooke:

Please be advised that the oversight of the remediation for the above site has been transferred to the Local Oversight Program (LOP) section of Alameda County Environmental Health, Hazardous Materials Division and the new case worker is the undersigned Hazardous Materials Specialist.

Recall that a 1000 gallon gasoline and 10,000 gallon diesel tank were removed from the site on 3/10/88 by Zaccor Corporation. As part of the removal process, soil and groundwater samples were taken at the ends of the tanks and from the groundwater in the diesel tank pit. Results indicated diesel contamination as high as 450 parts per million (ppm) in soil and 150 ppm in water and as high as 720 ppm gasoline. Because of these results, your site is considered to have experienced an unauthorized release of petroleum hydrocarbon, the extent of which, must be determined and remediated. Enclosed please find a copy of **Appendix A, Workplan for Initial Subsurface Investigation** a guidance document from the Regional Water Quality Control Board (RWQCB) which includes the elements of an appropriate work plan.

In addition you should provide receipts for the disposal of tanks and the receipts for the disposal of any contaminated soils. If any stockpiled soils were reused, please provide the analytical results of these soils.

Please provide a workplan for this investigation, in addition to the requested receipts, to our office **within 45 days** of this letter.

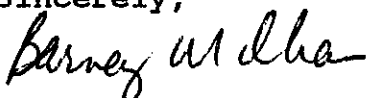
Our office is working with the RWQCB to oversee the remediation of hydrocarbon contaminated sites such as these. The RWQCB is the agency entrusted to protect the waters of the state. Please send copies of workplans, analytical results or reports to this office and to that of the RWQCB to the attention of Mr. Rich Hiett. Their address is 2101 Webster St., Suite 500, Oakland CA 94612.

Mr. Richard Smooke
StID # 3586
3925 Alameda Ave.
January 27, 1993
Page 2.

You should consider this a formal request for technical reports as provided in the California Water Code Section 13267 (b). In addition, our office works through a Memorandum of Understanding (MOU) with the Department of Toxic Substances Control (DTSC) in enforcing the California Health and Safety Code (CH&SC). Note that section 25298 (c) 4 of the CH&SC requires that the owner or operator of an underground tank must demonstrate to the appropriate agency that there were no past or any present releases, and if so that appropriate corrective actions have been taken. Please be advised that you may be subject to civil liabilities for the failure to provide the requested documents or the failure to properly close an underground tank.

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

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

cc: G. Jensen, Alameda County District Attorney Office
R. Hiatt, RWQCB
E. Howell, files, Chief, Hazardous Materials Division

WP-3925