

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



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ENVIRONMENTAL HEALTH SERVICES

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

February 1, 2007

Mr. Michael Liu  
MLSC Investment LLC  
1663 MacArthur Blvd.  
Oakland 94606-2832

Ms. Pamela Brown  
1044 5<sup>th</sup> Avenue  
Oakland, CA 94606

Mr. Jeffrey Hammond  
Merritt Environmental Corporation  
1044 5<sup>th</sup> Avenue  
Oakland, CA 94606

Subject: Fuel Leak Case No. RO0000419 and Geotracker Global ID T0600102304, Merritt Environmental Corporation, 1044 5<sup>th</sup> Avenue, Oakland, CA 94606

Dear Mr. Liu, Ms. Brown, and Mr. Hammond:

I am the caseworker recently assigned to this case, which is currently an open fuel leak case. Please send any future correspondence for this case to my attention. Alameda County Environmental Health (ACEH) staff is currently reviewing the above referenced site for possible case closure. If case closure is approved, the fuel leak case will be closed with the following site management requirement:

*"Case closure for the fuel leak site is granted for commercial land use only. If a change in land use to residential or other conservative scenario occurs at this property, Alameda County Environmental Health must be notified and the case needs to be re-evaluated. This site is to be entered into the City of Oakland Permit Tracking System due to the residual contamination posing a nuisance for subsurface utility work."*

We request that you provide the information requested in the technical comments below in order for us to complete the case closure review.

**TECHNICAL COMMENTS**

- 1. Land Use.** An office building was constructed over a large portion of the site in 2000. Please describe the current use of the building, whether it is commercial, residential, or mixed use. Please identify any projected future land use that would involve a residential or more conservative land use. This information is to be presented in the Response to Technical Comments requested below.
- 2. Monitoring Well.** One monitoring well was installed at the site in July 1997. This well appears to be located within the footprint of the current office building. Please describe how this well was decommissioned prior to construction of the building. Please provide the documentation for well decommissioning including the well destruction permit and well driller's report in the Response to Technical Comments requested below.

Ms. Pamela Brown  
Mr. Michael Liu  
Mr. Jeffrey Hammond  
February 1, 2007  
Page 2

### TECHNICAL REPORT REQUEST

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

- **April 27, 2007** – Response to Technical Comments

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

### ELECTRONIC SUBMITTAL OF REPORTS

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

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)).

### 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.

Ms. Pamela Brown  
Mr. Michael Liu  
Mr. Jeffrey Hammond  
February 1, 2007  
Page 3

#### PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

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

#### UNDERGROUND STORAGE TANK CLEANUP FUND

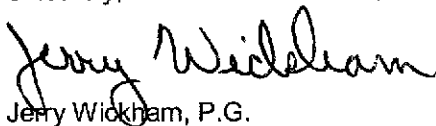
Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

#### AGENCY OVERSIGHT

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

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

Sincerely,



Jerry Wickham, P.G.  
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Donna Drogos, ACEH  
Jerry Wickham, ACEH  
File

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



F

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

January 30, 2007

Ms. Pamela Brown  
1044 5<sup>th</sup> Avenue  
Oakland, CA 94606

Mr. Jeffrey Hammond  
Merritt Environmental Corporation  
1044 5<sup>th</sup> Avenue  
Oakland, CA 94606

Subject: Fuel Leak Case No. RO0000419, Merritt Environmental Corporation, 1044 5<sup>th</sup> Avenue, Oakland, CA 94606 – Additional Responsible Party

Dear Ms. Brown and Mr. Hammond:

I am the caseworker recently assigned to this case. Please send any future correspondence for this case to my attention. The purpose of this correspondence is to provide notice that the current property owner, MLSC Investment, LLC has been added as an additional responsible party for the above referenced case. Please see Attachment A – Responsible Parties Data Sheet, which identifies all Responsible Parties and provides background on the unauthorized release and Responsible Party Identification.

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

Sincerely,

A handwritten signature in black ink that reads "Jerry Wickham". The signature is written in a cursive, flowing style.

Jerry Wickham, P.G.  
Hazardous Materials Specialist

Attachment A – Responsible Parties Data Sheet

cc: Donna Drogos, ACEH  
Jerry Wickham, ACEH  
File

ALAMEDA COUNTY ENVIRONMENTAL HEALTH  
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

January 25, 2007

**Site Name & Address:**

**MERRITT ENV CORP**  
1044 5TH AVE  
Oakland, CA 94606

**Local ID: RO0000419**

**Related ID: 3887**

**RWQCB ID: 21-2323**

**Global ID: T0600102304**

**All Responsible Parties**

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**RP has been named a Primary RP - PAMELA H BROWN**  
**PAMELA BROWN**  
1044 5TH AVENUE | OAKLAND, CA 94606-2832

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**RP has been named a RP - JEFFREY HAMMOND**  
**MERRITT ENVIRONMENTAL CORP**  
1044 5TH AVENUE | OAKLAND, CA 94606-2832

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**RP has been named a RP - MICHAEL LIU**  
**MLSC INVESTMENT LLC**  
1663 MACARTHUR BLVD | OAKLAND, CA 94602-1661

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**Responsible Party Identification Background**

Alameda County Environmental Health (ACEH) names a "Responsible Party," as defined under 23 C.C.R Sec. 2720. Section 2720 defines a responsible party 4 ways. An RP can be:

"Any person who owns or operates an underground storage tank used for the storage of any hazardous substance."

"In the case of any underground storage tank no longer in use, any person who owned or operated the underground storage tank immediately before the discontinuation of its use."

"Any owner of property where an unauthorized release of a hazardous substance from an underground storage tank has occurred."

"Any person who had or has control over an underground storage tank at the time of or following an unauthorized release of a hazardous substance."

ACEH has named the responsible parties for this site as detailed below.

### **Existence of Unauthorized Release**

An underground storage tank (UST) with an approximate capacity of 1,000 gallons was removed from the site on October 18, 1995. The UST was believed to have been installed some time in the 1950's. Use of the UST was reported to be discontinued at the end of 1994. Petroleum hydrocarbons, which appeared to be aged gasoline, were detected in soil samples collected from the tank pit during UST removal. Subsequent investigation of the site, which included nine soil borings and one groundwater monitoring well, confirmed that fuel hydrocarbons had been released to soil and groundwater in that area of the former UST system.

### **Responsible Party Identification**

Jeffrey Hammond owned the property from February 7, 1989 to September 21, 1989. He is a responsible party for the fuel leak because he was the former property owner where an unauthorized release from a UST occurred (Definition 3). A Notice of Responsibility was issued to Jeffrey Hammond on November 6, 1995.

Pamela Brown owned the property from September 21, 1989 until May 20, 1997. She is a responsible party for the fuel leak because she owned and operated the UST before the discontinuation of its use (Definition 2), was the former property owner where an unauthorized release from a UST occurred (Definition 3), and had control of the UST at the time of or following an unauthorized release (Definition 4). A Notice of Responsibility was issued to Pamela Brown on November 6, 1995.

MLSC Investment LLC is the current owner of the property. MLSC Investment LLC is a responsible party for the fuel leak because they are the property owner where an unauthorized release from a UST occurred (Definition 3).

TO : AMIR, K. GHOLAMI, BARNEY CHAN, OR  
WHOM IT MAY CONCERN,

HERE'S THE LETTER THAT THE BANK

REQUESTED.

THANK YOU!!!

R0419

Sincerely,  
Victoria J.



# EAST WEST BANK

August 13, 2003

Mr Michael Liu  
1663 MacArthur Blvd.  
Oakland, CA 94602

Re: 1038 - 1044 5<sup>th</sup> Avenue, Oakland, CA 94606

Dear Mr. Liu,

Per your information furnished to East West Bank, the environmental problem of the subject property was fixed already. We need to have finally site closure to prove the work was completely satisfied. Please provide the said report as soon as possible to full fill the underwriting requisition.

Since the appraisal report was done on July 22, 2003, we can close escrow for this loan anytime. So the site closure is very important to complete the processing. Again, please provide the said document to East West Bank within 30 days of the date of this letter to avoid any loss due to the delay.

Please contact me at (415)317-2707, if you should have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Tak Wah Ng".

Tak Wah Ng  
Business Development Manager

C/C: Mr. Edmund Ko  
Ms. Robbin Jew





**AIG Environmental**<sup>®</sup>  
A Division of American International Corporation\*

Environmental Programs Unit  
1225 17th Street, Suite 1700  
Denver, Colorado 80202  
Telephone 303-382-8500  
Fax 303-295-7461

July 15, 2003  
Gayle Schumacher  
East West Bank

Borrower: Michael Liu  
Loan #:

Address	City	State	ZIP	Property Type
1039 5th Avenue	Oakland	CA	94606	Retail

We will need the following additional information on the property(s) before we can give you a definitive answer:

1. \*Please provide any applicable environmental site assessment, notice of violation or other information from any government agency, environmental consultant, or non-profit group that addresses environmental issues for property site 1044 5th Avenue, Oakland CA 94606.

\*According to our environmental reports there is a LUST #TC600102304 on the property site. Please provide the date of closure and No Further Action letter from the state of California, if applicable.



Sincerely,

Gayle Schumacher, Underwriting Technician  
Commercial Real Estate  
AIG Environmental Programs Unit  
Email: gayle.schumacher@aig.com  
Phone No: (303) 392-8574

cc: Gayle Schumacher

via email:  
gayle.schumacher@aig.com

JUL-15-2003 TUE 08:44 AM EAST WEST BANK

ATTN:  
AMIR



EAST WEST BANK

20419

July 15, 2003

Mr. Michael Liu  
1663 MacArthur Blvd.  
Oakland, CA 94602

Re: ~~1038 - 1044 5<sup>th</sup> Avenue, Oakland, CA 94606~~

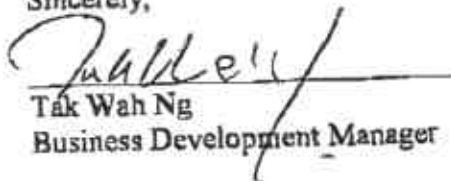
Dear Mr. Liu,

After we searched the environmental record on the above property, an underground tank was reported on the county record. According to this condition, East West Bank need to request a special environmental research (**phase I report**) to continue the processing on the commercial loan. If you can provide us any papers & report that related to this requirement, it will be save the processing time.

Also, failure to provide this environmental information (**phase I report**) requested within 30 days of the date of this letter will result in no further consideration being given to your application.

Please contact me at (415)317-2707, if you should have any questions.

Sincerely,

  
Tak Wah Ng  
Business Development Manager

C/C: Mr. Edmund Ko  
Ms. Robbin Jew

HAZARDOUS WASTE GENERATOR INSPECTION REPORT

STID # 3887 FACILITY NAME: Former Merrit Env Corp PG.      OF     

SUPPLEMENTAL FORM @ 1044 5<sup>th</sup> Ave. 94606

Site is being developed into an office bld.  
The entire corner of 5<sup>th</sup> Ave & E 11<sup>th</sup> St. is  
occupied by the structure.  
1- 55 gal drum of water or soil is on sidewalk  
on 5<sup>th</sup> Ave.



PRINT NAME:

INSPECTED BY: BCCHAN

SIGNATURE:

DATE: 2/19/00

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

January 25, 2000  
StID # 3887

Mr. Micheal Liu  
1044 5<sup>th</sup> Ave.  
Oakland CA 94606

**Re: Request for Technical Information for 1044 5<sup>th</sup> Ave., Oakland CA 94606**

Dear Mr. Liu:

Our office last wrote to you in my November 8, 1999 letter. As you may recall, I informed you that our office was reviewing this site for case closure recommendation. It is likely that your site will be eligible for closure, however, before our office can do this, we required additional information. To date, our office has not received the items requested in my letter.

Therefore, our office again requests the following:

- Please complete the enclosed "List of Landowners Form" to provide a complete list of current record fee title owners and their mailing addresses. Should you be the sole landowner please indicate this and you may forgo submission of a "Notice of Proposed Action" letter (sample letter #3).
- Please document the disposal of the soil excavated during the underground tank removal and not reused onsite.
- Please have your consultant provide the boring logs for borings B1-B3 and B4 -B9, if available.

**Please submit this information to our office within 30 days or no later than February 28, 2000. This is a formal request for technical reports pursuant to the Health and Safety Code and the Water Code. The failure to submit the requested reports may subject you to civil liability.**

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

Sincerely,

Barney M. Chan  
Hazardous Materials Specialist

enclosures (Mr. Liu only)

C: B. Chan, files

Mr. P. King, P & D Environmental, 4020 Panama Court, Oakland CA 94611

Zinfo1044

**SAMPLE LETTER (2): LIST OF LANDOWNERS FORM**

Name of local agency  
Street address  
City

**SUBJECT: CERTIFIED LIST OF RECORD FEE TITLE OWNERS FOR SITE NAME AND ADDRESS**

Fill out item 1 if there are multiple site landowners. If you are the sole site landowner, skip item 1 and fill out item 2.

1. In accordance with section 25297.15(a) of Chapter 6.7 of the Health & Safety Code, I, name of primary responsible party, certify that the following is a complete list of current record fee title owners and their mailing addresses for the above site:

2. In accordance with section 25297.15(a) of Chapter 6.7 of the Health & Safety Code, I, name of primary responsible party, certify that I am the sole landowner for the above site.

Sincerely,

Signature of primary responsible party

Name of primary responsible party

**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 NAME AND ADDRESS OF SUBJECT SITE**

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



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

January 25, 2000  
StID # 3887

Mr. Micheal Liu  
1044 5<sup>th</sup> Ave.  
Oakland CA 94606

**Re: Request for Technical Information for 1044 5<sup>th</sup> Ave., Oakland CA 94606**

Dear Mr. Liu:

Our office last wrote to you in my November 8, 1999 letter. As you may recall, I informed you that our office was reviewing this site for case closure recommendation. It is likely that your site will be eligible for closure, however, before our office can do this, we required additional information. To date, our office has not received the items requested in my letter.

Therefore, our office again requests the following:

- Please complete the enclosed "List of Landowners Form" to provide a complete list of current record fee title owners and their mailing addresses. Should you be the sole landowner please indicate this and you may forgo submission of a "Notice of Proposed Action" letter (sample letter #3).
- Please document the disposal of the soil excavated during the underground tank removal and not reused onsite.
- Please have your consultant provide the boring logs for borings B1-B3 and B4 -B9, if available.

**Please submit this information to our office within 30 days or no later than February 28, 2000. This is a formal request for technical reports pursuant to the Health and Safety Code and the Water Code. The failure to submit the requested reports may subject you to civil liability.**

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

Sincerely,

Barney M. Chan  
Hazardous Materials Specialist

enclosures (Mr. Liu only)

C: B. Chan, files

Mr. P. King, P& D Environmental, 4020 Panama Court, Oakland CA 94611

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

November 8, 1999  
StID # 3887

Mr. Micheal Liu  
1044 5<sup>th</sup> Ave.  
Oakland CA 94606

**Re: Request for Technical Information for 1044 5<sup>th</sup> Ave., Oakland CA 94606**

Dear Mr. Liu:

Our office is reviewing the above referenced site for recommendation for site closure to the Water Board. We have sent you "Landowner's Notification and Intent to Request Closure" letters to your attention. Please return the required completed forms to our office within 20 days of receipt, as requested.

In addition, our office requests the additional information within the same 20 days:

- Please document either; the sampling and reuse or the proper disposal of the small amount of soil from the tank removal, which remains at the site.
- Please complete, or have your consultant complete the enclosed Unauthorized Leak Report (ULR). If you have previously completed this form, please send a copy to our office.
- Please have your consultant provide, if they exist, the boring logs for borings B1-B3 and B4-B9.

Your attention to these items will facilitate site closure. You may contact me at (510) 567-6765 if you have any questions.

Sincerely,

Barney M. Chan  
Hazardous Materials Specialist

Enclosure

C: B. Chan, files  
Mr. P. King, P&D Environmental, 4020 Panama Court, Oakland CA 94611  
Info1044 5thAve



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

November 8, 1999  
STID # 3887

Mr. Micheal Liu  
1044 5<sup>th</sup> Ave.  
Oakland CA 94606

**RE: 1044 5<sup>th</sup> Ave., Oakland CA 94606**

**LANDOWNER NOTIFICATION AND PARTICIPATION REQUIREMENTS**

Dear Mr. Liu:

This letter is to inform you of new legislative requirements pertaining to cleanup and closure of sites where an unauthorized release of hazardous substance, including petroleum, has occurred from an underground storage tank (UST). Section 25297.15(a) of Ch. 6.7 of the Health & Safety Code requires the primary or active responsible party to notify all current record owners of fee title to the site of: 1) a site cleanup proposal, 2) a site closure proposal, 3) a local agency intention to make a determination that no further action is required, and 4) a local agency intention to issue a closure letter. Section 25297.15(b) requires the local agency to take all reasonable steps to accommodate responsible landowners' participation in the cleanup or site closure process and to consider their input and recommendations.

For purposes of implementing these sections, Mr. Micheal Liu has been identified as the primary or active responsible party. Please provide to this agency, within twenty (20) calendar days of receipt of this notice, a complete mailing list of all current record owners of fee title to the site. You may use the enclosed "list of landowners" form (sample letter 2) as a template to comply with this requirement. If the list of current record owners of fee title to the site changes, you must notify the local agency of the change within 20 calendar days from when you are notified of the change.

If you are the sole landowner, please indicate that on the landowner list form. The following notice requirements do not apply to responsible parties who are the sole landowner for the site.

LANDOWNER NOTIFICATION

Re: 1044 5<sup>th</sup> Ave., Oakland CA 94606

November 8, 1999

Page 2 of 2

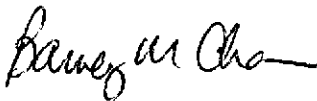
In accordance with Section 25297.15(a) of Ch. 6.7 of the Health & Safety Code, you must certify to the local agency that all current record owners of fee title to the site have been informed of the proposed action before the local agency may do any of the following:

- 1) consider a cleanup proposal (corrective action plan)
- 2) consider a site closure proposal
- 3) make a determination that no further action is required
- 4) issue a closure letter

You may use the enclosed "notice of proposed action" form (sample letter 3) as a template to comply with this requirement. Before approving a cleanup proposal or site closure proposal, determining that no further action is required, or issuing a closure letter, the local agency will take all reasonable steps necessary to accommodate responsible landowner participation in the cleanup and site closure process and will consider all input and recommendations from any responsible landowner.

Please call me at (510) 567-6765 should you have any questions about the content of this letter.

Sincerely,



Barney M. Chan  
Hazardous Materials Specialist

Attachments

cc: Chuck Headlee, RWQCB

SAMPLE LETTER (2): LIST OF LANDOWNERS FORM

---

Name of local agency  
Street address  
City

SUBJECT: CERTIFIED LIST OF RECORD FEE TITLE OWNERS FOR (*Site Name and Address*)

(Note: Fill out item 1 if there are multiple site landowners. If you are the sole site landowner, skip item 1 and fill out item 2.)

1. In accordance with section 25297.15(a) of Chapter 6.7 of the Health & Safety Code, I, (*name of primary responsible party*), certify that the following is a complete list of current record fee title owners and their mailing addresses for the above site:
  
  
  
  
  
  
  
  
  
  
2. In accordance with section 25297.15(a) of Chapter 6.7 of the Health & Safety Code, I, (*name of primary responsible party*), certify that I am the sole landowner for the above site.

Sincerely,

Signature of primary responsible party

Name of primary responsible party

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



ENVIRONMENTAL HEALTH SERVICES  
ALAMEDA COUNTY HEALTH CARE SERVICES  
1000 Lakeside Drive, Suite 100  
Oakland, CA 94612  
Tel: (510) 567-6765  
Fax: (510) 567-6765

August 27, 1998  
StID # 3887

Mr. Micheal Liu  
1044 5<sup>th</sup> Ave.  
Oakland CA 94606

**Re: Characterization and Disposal of Excavated Soils at 1044 5<sup>th</sup> Ave., Oakland CA 94606**

Dear Mr. Liu :

It has come to our office's attention that a small amount of soil generated from the underground tank removal from the above site remains on your property. This soil came from the over-excavation of soils beneath the former gasoline tank and is believed to be have been contaminated with gasoline. Prior to recommending site closure, you are required to characterize this soil and properly dispose of it. Either one discrete or a two-point composite from this soil should be taken and analyzed for Total Petroleum Hydrocarbons as gasoline and BTEX (benzene, toluene, ethylbenzene and xylenes). Please confirm your intentions in handling this soil and provide a description of your sampling plan. After chemical analysis, please forward a copy of the analytical results to this office, to my attention.

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

Sincerely,

Barney M. Chan  
Hazardous Materials Specialist

~~C. B. King~~

Mr. P. King, P&D Environmental, 4020 Panama Court, Oakland CA 94611

Soils1044

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 2, 1998  
StID # 3887

Mr. Michael Liu  
Former Merritt Environmental Corporation  
1044 5th Ave.  
Oakland CA 94606

**Re: Groundwater Monitoring and Sampling at 1044 5th Ave., Oakland  
94606**

Dear Mr. Liu:

Our office has received and reviewed the November 24, 1997 P&D Environmental **Groundwater Monitoring and Sampling Report**. Groundwater results indicate declining concentrations of gasoline and BTEX contamination which should continue to be monitored for two additional quarters as recommended by your consultant. After completion of this sampling, our office will review the site for site closure recommendation to the Water Board.

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

Sincerely,

Barney M. Chan  
Hazardous Materials Specialist

c:B. Chan, files

Mr. P. King, P&D Environmental, 4020 Panama Ct., Oakland 94611  
2mon1044

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KILAIRS, 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 10, 1997  
StID # 3887

Mr. Michael Liu  
c/o Mr. Jeff Hammond  
Merritt Environmental Corp.  
1044 5th Ave.  
Oakland CA 94606

**Re: Monitoring Well Installation at 1044 5th Ave, Oakland CA,  
94606, former Merritt Environmental**

Dear Mr. Liu:

Our office has received and reviewed the July 30, 1997 P&D **Monitoring Well Installation Report**. It was delivered recently to our office by Mr. Andrew Kwan. Please insure that all future reports are submitted to our office in a more timely fashion.

Based upon the soil and groundwater results of this initial sampling event, it appears that the groundwater plume from the former gasoline tank has not migrated far from the tank pit and the levels of contamination have decreased. To verify that natural bioremediation is occurring, our office agrees with your consultants recommendation that groundwater monitoring continue for another three quarters. Please sample the monitoring well for TPHG, BTEX and MtBE. After completing this sampling, our office will consider evaluating the site for closure.

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. Paul King, P&D Environmental, 4020 Panama Ct., Oakland CA  
94611

mon1044

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

July 3, 1997  
StID # 3887

Mr. Michael Liu  
c/o Mr. Jeff Hammond  
Merritt Environmental Corp.  
1044 5th Ave.  
Oakland CA 94606

**Re: Installation of Monitoring Well at 1044 5th Ave., Oakland  
CA, 94606**

Dear Mr. Liu:

Our office has received and reviewed the June 11, 1997 P&D proposal for the installation of one monitoring well at the above referenced site. A two inch well will be installed to approximately 20 feet depth. Soil samples from 5 and 10 below surface will be retained for laboratory analysis. Soil and groundwater samples will be analyzed for Total Petroleum Hydrocarbons as gasoline (TPHg), BTEX (benzene, toluene, ethyl benzene and xylenes) and MTBE (methyl tert-butyl ether). I understand that the well's location will be as shown in Figure 2 in P&D's March 13, 1996 report. This work plan is approved. Please continue to sample this well on a quarterly schedule as stated in the proposal.

Please notify our office 48 working hours prior to this work.

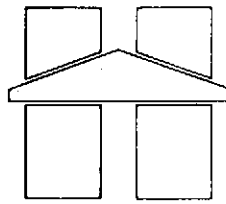
You may contact me at (510) 567-6765 if you have any questions.

Sincerely,

Barney M. Chan  
Hazardous Materials Specialist

c: B. Chan, files  
Mr. Paul King, P&D Environmental, 4020 Panama Ct., Oakland CA  
94611

well11044



JEFFREY G. HAMMOND

Barney Chan  
Hazardous materials Specialist  
Environmental Health Services

Dear Mr. Chan

When we began the testing it was understood that the Geo probes were in the place of monitoring wells and would clear the property. Later it was required we go to a monitoring well. Please relate the Geo-probes to the RBCA and close this case.

Exception is taken to statement that significant levels of gasoline and BTEX were detected and were from this tank, as you will recall the level of Gasoline and B-Tex was insignificant directly under the tank. One block away is the old site of a Standard Station that has the potential for much more contamination due to size of Tanks.

Jeff Hammond



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

July 17, 1996  
StID # 3887

Mr. Jeff Hammond  
Merritt Environmental Corp.  
1044 5th Ave.  
Oakland CA 94606

**Re: Request for Work Plan to Install Monitoring Well at 1044  
5th Ave., Oakland CA 94606**

Dear Mr. Hammond:

After the removal of the 1000 gallon gasoline tank at the above site, petroleum contamination was detected in soil samples taken beneath the tank. Further investigation was warranted, therefore, Geoprobe borings B1-B3 were advanced immediately around the former tank. Significant levels of gasoline and BTEX (benzene, toluene, ethylbenzene and xylenes) were detected in soil and groundwater samples from boring B1. These levels, through comparison to the ASTM Risk Based Corrective Action (RBCA) guidelines, represented a potential human health threat. Therefore, an additional set of Geoprobe borings, B4-B9, were advanced in order to determine the extent of soil and groundwater contamination and to see if the contamination levels attenuated as is typical of petroleum releases. This indeed was the case as the levels of soil and groundwater contamination diminished substantially.

Consistent with the recommendations of the Regional Water Quality Control Board (RWQCB), a "low risk" groundwater case should be, at a minimum, monitored to determine plume stability and to verify the effectiveness of natural biodegradation. Groundwater monitoring for one year would be necessary prior to recommendation of this site for closure. Your March 21, 1996 letter asked that our office consider this site for closure. The installation of a minimum of one monitoring well is necessary before closure can be considered. The fact that groundwater gradient in this area is known at neighboring sites may allow you to install a single well.

Please submit a work plan for the installation of a monitoring wells at the above referenced site **within 30 days or by August 19, 1996.**

Mr. J. Hammond  
1044 5th Ave.  
July 17, 1996  
Page 2.

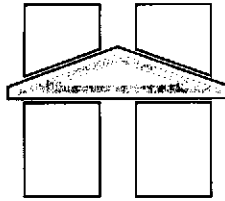
You may contact me at (510) 567-6765 if you have any questions.

Sincerely,



Barney M. Chan  
Hazardous Materials Specialist

c: Mr. P. King, P&D Environmental, 4020 Panama Ct., Oakland 94611  
G. Coleman, files  
well1044



JEFFREY G. HAMMOND

March 21, 1996

Mr. Barney Chan  
Dept. of Environmental Health  
1131 Harbor Bay Parkway  
Alameda CA 94502-6577

RC419

Re: 1044 Fifth Avenue State ID 3887

Dear Mr. Chan:

On November 8, 1995 you and I had a conversation discussing the options to fully characterize the above captioned site. You suggested 3-4 temporary borings by geo-probe to water sample as opposed to placing monitoring wells around the tank pit.

The geo-probe was preferable to me as I wish to sell the property. The one year wait through a full hydrogeologic cycle was more than I wished to wait.

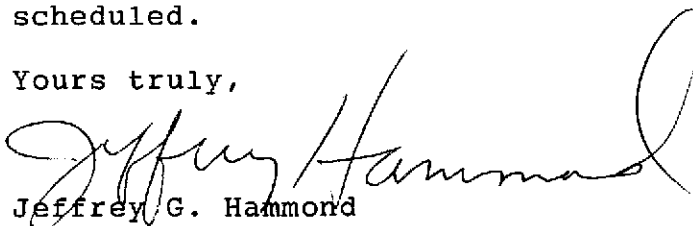
To date, we have done **nine** geo-probes and included soil as well as water samples. "These results indicate soil has been only marginally impacted and ground water slightly impacted by gasoline and BTEX components in the assumed down gradient." (your letter of March 18, 1996)

Now you and Paul King request that I begin to pursue a monitor well program with a year wait to monitor the full hydrogeologic cycle. Five months and **over \$6500.** have elapsed since our November 8, 1995 conversation and geo-probe decision.

I respectfully request that you and Paul King review the known data and pursue site closure. Waiting until after March 1997 to finish this task which began in June 1995 is simply unacceptable.

Please be informed that the March 22, 1996 field work is no longer scheduled.

Yours truly,



Jeffrey G. Hammond

JGH:bw

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, DIRECTOR

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

March 18, 1996  
StID # 3887

Mr. Jeff Hammond  
1044 5th Ave.  
Oakland CA 94606

**Re: Subsurface Investigation at 1044 5th Ave., Merritt  
Environmental Corp. Facility**

Dear Mr. Hammond:

Our office has received and reviewed the March 13, 1996 Subsurface Investigation Report from P&D Environmental. This report details the analytical results from soil and grab groundwater samples from borings B4-B9. These results indicate soil has been only marginally impacted and groundwater slightly impacted by gasoline and BTEX components in the assumed downgradient direction relative to the former tank.

An initial risk evaluation was done on these results. Because of the potential human health risk, P&D recommends installation of one monitoring well located in the assumed downgradient direction relative to the former tank. This area is located between the angle formed by borings B1/B5 and borings B3/B4. This recommendation is acceptable and approved by our office. No additional work plan is necessary. The report also recommends an ASTM Risk Based approach to evaluate the groundwater data from this monitoring well. This may be done, however, actual site closure cannot be pursued until groundwater monitoring data has been collected for an entire hydrogeologic cycle, typically one year. I understand that this field work is scheduled for March 22, 1996. Please inform me if your plans change.

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

Sincerely,

Barney M. Chan  
Hazardous Materials Specialist

c: Mr. P. King, P&D Environmental, 4020 Panama Ct., Oakland 94611  
G. Coleman, files

3wpap1044

ENVIRONMENTAL  
PROTECTION  
95 MAR 14 PM 2:15

**P & D ENVIRONMENTAL**

4020 Panama Court  
Oakland, CA 94611  
Telephone (510) 658-6916

March 13, 1996  
Report 0101.L7

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

SUBJECT: Subsurface Investigation Report  
Merritt Environmental Corporation Facility  
1044 5th Avenue  
Oakland, California

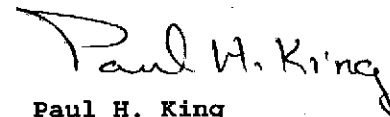
Dear Mr. Chan:

At the request of Mr. Jeff Hammond of Merritt Environmental Corporation, you will find enclosed one copy of the Subsurface Investigation Report 0101.R3 dated March 13, 1996 for the subject site.

Should you have any questions, please do not hesitate to contact me at (510) 658-6916.

Sincerely,

P&D Environmental



Paul H. King  
Hydrogeologist

Enclosure

cc: Mr. Jeff Hammond, Merritt Environmental Corporation w/o enclosure

PHK  
0101.L7

ALAMEDA COUNTY  
HEALTH CARE SERVICES



AGENCY  
DAVID J. KEARS, Agency Director

RAFAT A. SHAHID, DIRECTOR

March 12, 1996  
StID # 3887

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

Mr. Jeffrey Hammond  
Merritt Environmental Inc.  
1044 5th Ave.  
Oakland CA 94606

**Re: Subsurface Investigation at 1044 5th Ave., Oakland, Merritt  
Environmental Inc.**

Dear Mr. Hammond:

Our office has received and reviewed copies of the recent Geoprobe study at the above site. An additional six borings were advanced around the former tank pit and soil and grab groundwater samples collected. Based on the analytical results of these samples, it appears that the extent of soil contamination has been determined. Also, the concentration of gasoline and BTEX in these grab groundwater samples do not pose a risk to human health.

The most immediate potential human health threat is to residential or commercial exposure to individuals located relatively close to the former underground tank. The high levels of soil and groundwater contamination detected in B1 and B3 pose a potential human health threat which must be evaluated. To do this, you are requested to provide a work plan to install, at a minimum, one monitoring well in the downgradient direction relative to the former tank. Both soil and groundwater samples should be collected from the well. Then a risk evaluation should be performed on these results. I have discussed these issues with Mr. Paul King of P&D Environmental.

Please submit your work plan for monitoring well(s) installation within 30 days or by April 15, 1996.

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

Sincerely,

Barney M. Chan  
Hazardous Materials Specialist

c: Mr. P. King, P&D Environmental, 4020 Panama Court, Oakland  
94611

G. Coleman, files  
MWre1044

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, DIRECTOR

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

February 22, 1996  
StID # 3887

Mr. Jeff Hammond  
1044 5th Ave.  
Oakland CA 94606

**Re: Subsurface Investigation at 1044 5th Ave., Merritt  
Environmental Corp. Facility**

Dear Mr. Hammond:

Our office has received and reviewed the February 21, 1996 Subsurface Investigation Report from P&D Environmental. This report details the analytical results from soil and grab groundwater samples from borings B1-B3. These results indicate both soil and groundwater have been impacted in the assumed downgradient direction relative to the former tank.

Because of these results, P&D recommends the advancement of four additional Geoprobe borings to delineate the soil and groundwater contamination. The field work will be similar to the previous investigation. This work plan is acceptable and I understand that this work is scheduled for February 27, 1996. Please inform if your plans change.

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

Sincerely,

Barney M. Chan  
Hazardous Materials Specialist

c: Mr. P. King, P&D Environmental, 4020 Panama Ct., Oakland 94611  
G. Coleman, Files

2wpap1044

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, Assistant Agency Director

February 5, 1996  
StID # 3887

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

Mr. Jeffrey Hammond and  
Ms. Pamela Brown  
1044 5th Ave.  
Oakland CA 94606

**Re: Subsurface Investigation Work Plan for 1044 5th Ave., Oakland  
CA 94606**

Dear Mr. Hammond and Ms. Brown:

Our office has received and reviewed the February 5, 1996 work plan for subsurface investigation at the above site as provided by Mr. Paul King of P & D Environmental. The work plan calls for the advancement of three borings via Geoprobe technology around the former gasoline tank pit. A soil and a grab groundwater sample will be taken from each boring and analyzed for the constituents: total petroleum hydrocarbons as gasoline (TPHg) and BTEX. Based on the results of these analyses, recommendations will be made for either site closure or additional investigation. This work plan is consistent with my conversations with you and Mr. King and is acceptable. Work may commence as soon as possible.

Two additional items must also be addressed before any recommendation for closure can be made. These items are the completion and submittal of the previously sent Unauthorized Leak Report (ULR) and the documentation of the disposition of the "additional" overexcavation soils from beneath the tank. Recall, you were requested to remove an additional two feet of soil beneath the initial tank bottom due to the apparent presence of soil contamination.

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

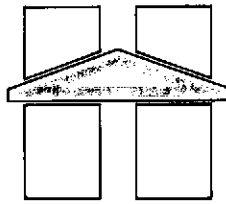
Sincerely,

Barney M. Chan  
Hazardous Materials Specialist

c: Mr. P. King, P&D Environmental, 4020 Panama Court, Oakland  
CA 94611

SA G. Coleman, files  
wpap1044





ENVIRONMENTAL  
PROTECTION  
95 JAN 23 PM 2:29

JEFFREY G. HAMMOND

January 18, 1996

Mr. Barney Chan  
Alameda County  
Environmental Protection Division  
1131 Harbor Bay Parkway, Room 250  
Alameda, CA 94502-6577

Re: Formal Tank Closure Report

Dear Mr. Chan:

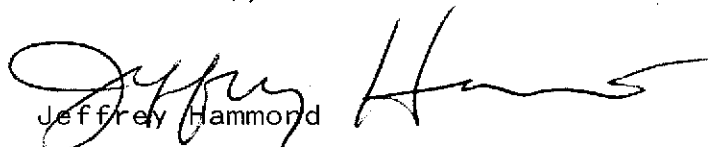
Enclosed please find the above captioned closure report.

The contents are true to the best of our knowledge.

The underground unauthorized release contamination site report has been reviewed and found to not be appropriate for this incident for the following reasons:

1. Tank tests annually accomplished indicated no leakage during Merritt's operation.
2. Analysis indicated contaminants were aged and degraded.
3. Tank was actually sited on City of Oakland property.

Yours truly,

  
Jeffrey Hammond

JH:pb

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, Assistant Agency Director

January 4, 1996  
StID # 3887

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

Mr. Jeffrey Hammond and Ms. Pamela Brown (510) 567-6700  
1044 5th Ave.  
Oakland CA 94606

**Re: Request for Technical Reports for 1044 5th Ave., Oakland,  
CA, 94606, Merritt Environmental Corp.**

Dear Mr. Hammond and Ms. Brown:

On November 18, 1995 I was present to witness the removal of one 1000 gallon leaded gasoline tank from the above address. Two soil samples were taken from beneath the tank at each end at a depth of approximately 10'. Up to 130 ppm Total Petroleum Hydrocarbons as gasoline (TPHg) and 0.059, 0.19, 0.60 and 3.9 ppm BTEX (benzene, toluene, ethylbenzene and xylenes) respectively were detected in these samples. Given the presence of these concentrations of petroleum contaminants and the anticipated shallow groundwater at this site, this case was transferred to the Local Oversight Program (LOP) within Alameda County Environmental Health and a groundwater investigation was requested verbally to Mr. Hammond. We discussed the options available to complete this investigation and it was agreed that temporary borings with soil and groundwater samples would be performed.

To this date, our office has yet to receive a supplemental work plan or a formal underground tank closure report. The tank closure report should include such items as: original analytical laboratory data, a copy of the manifest for the underground tank, a narrative description of all activities which have occurred at this site and a map depicting the locations of all samples. Your work plan should include the specifics of your supplemental subsurface investigation and be signed by an appropriate California registered professional.

Please submit your underground tank closure report along with your work plan for additional soil and groundwater investigation to our office within 30 days or by February 5, 1996.

In addition, enclosed please find an Unauthorized Release (Leak) Report which should be completed and returned to our office within 10 days or by January 12, 1996.

You should consider this letter a formal request for technical reports pursuant to the California Water Code Section 13267 (b). Failure to submit the requested reports may cause this case to be referred to the Water Board or the District Attorney office for enforcement.

Mr. J. Hammond & Ms. P. Brown  
StID # 3887  
1044 5th Ave.  
January 4, 1996  
Page 2.

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

Sincerely,



Barney M. Chan  
Hazardous Materials Specialist

enclosure (Mr. Hammond & Ms. Brown)

c: Mr. P. King, P & D Environmental, 4020 Panama Ct., Oakland  
CA, 94611

~~st~~ G. Coleman, files

1044req

white - env. health  
yellow - facility  
pink - files

# ALAMEDA COUNTY, DEPARTMENT OF ENVIRONMENTAL HEALTH

## Hazardous Materials Inspection Form

II, III

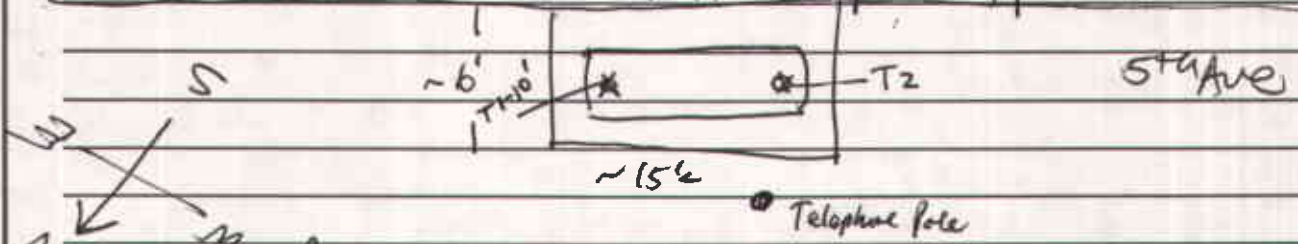
Site ID # \_\_\_\_\_ Site Name Merritt Env Corp Today's Date 10, 18, 95  
Site Address 1044 5th Ave  
City Oak Zip 94606 Phone \_\_\_\_\_

\_\_\_\_\_ MAX AMT stored > 500 lbs, 55 gal., 200 cft.?  
**Inspection Categories:**  
\_\_\_\_\_ I. Haz. Mat/Waste GENERATOR/TRANSPORTER  
\_\_\_\_\_ II. Hazardous Materials Business Plan, Acutely Hazardous Materials  
 III. Under ground Storage Tanks  
Removal

\* Calif. Administration Code (CAC) or the Health & Safety Code (HS&C)

**Comments:**

Witness the removal of 1 approx 1000 gallon leaded gasoline tank.  
- Mr. J. Hammond - owner / contractor  
Contacted OPD Gary Collins, he OKayed County to make call  
Hauler - Dexanna # 802255 Exp. 4/96  
% CEL-6 % O2-8.2, Manifest # 95269856  
Tank located on sidewalk, front of yard.  
Paul King - spler  
Tank dimensions 46" x 12'  
Tank is single walled, steel, rusted with pits observed on east end (top), bottom seam on east end split ~5"  
(Spills) dispenser - former driveway



Approx. 15cy of spoils covered inside yard  
Slight gas odor in compressed soil immediately surrounding tank

Contact \_\_\_\_\_  
Title \_\_\_\_\_  
Signature [Signature]

Inspector B. Chan  
Signature [Signature]

II, III

2/8/46

Onsite to witness the Glogau Group around former  
the East (N) being drilled to ~ 20' bs, no PID  
readings observed.

Within yard ~ 5' of soil presumed to be the solid 2'  
beneath initial tank bottom overexposed at time of tank pull

The West (S) Group likewise v. little odor detected  
@ 10'.

Will take a soil sample just above the encountered Glogau  
+ also take a water sample.



P2

1131 Harbor Bay Pkwy  
Alameda CA 94502  
510/567-6700

white - env. health  
yellow - facility  
pink - files

# ALAMEDA COUNTY, DEPARTMENT OF ENVIRONMENTAL HEALTH

## Hazardous Materials Inspection Form

II, III

Site ID # \_\_\_\_\_ Site Name Mermet Env Corp Today's Date 10/18/95  
Site Address 1055 5th Ave  
City Oak Zip 94606 Phone \_\_\_\_\_

\_\_\_\_ MAX AMT stored > 500 lbs, 55 gal., 200 cft.?

**Inspection Categories:**

\_\_\_\_ I. Haz. Mat/Waste GENERATOR/TRANSPORTER

\_\_\_\_ II. Hazardous Materials Business Plan, Acutely Hazardous Materials

III. Under ground Storage Tanks

\* Calif. Administration Code (CAC) or the Health & Safety Code (HS&C)

**Comments:**

Dispenser removed - already prior to tank removal

- Please remove the top 2" of pit bottom & aerate prior to backfilling pits.
- One four point composite soil sple will be taken of stockpiled soil

- soils are sandy gravelly clump - fairly stiff

One soil sple taken from ea end of tank approx 10' Bas

East end = T1-10.0 } Both samples had a slight green

West " = T2-10.0

All sple to be run for TlHg, BTEX & either organics or total lead.

Contact \_\_\_\_\_

Title \_\_\_\_\_

Signature [Signature]

Inspector B Chan

Signature [Signature]

II, III

white -env.health  
yellow -facility  
pink -files

ALAMEDA COUNTY, DEPARTMENT OF  
**ENVIRONMENTAL HEALTH**  
Hazardous Materials Inspection Form

II, III

Site ID # \_\_\_\_\_ Site Name Academy Prep Today's Date 1/15/15  
Site Address 455 S. 1st St  
City Oak Zip 94 Phone \_\_\_\_\_

\_\_\_\_ MAX AMT stored > 500 lbs, 55 gal., 200 cft.?  
**Inspection Categories:**  
\_\_\_\_ I. Haz. Mat/Waste GENERATOR/TRANSPORTER  
\_\_\_\_ II. Hazardous Materials Business Plan, Acutely Hazardous Materials  
\_\_\_\_ III. Under ground Storage Tanks

\* Calif. Administration Code (CAC) or the Health & Safety Code (HS&C)

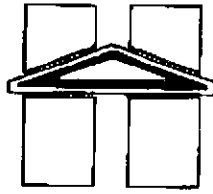
**Comments:**

inspector found several more so. to remove  
leaking material to top 2' of soil surface + create  
leak detection system  
Do not use soil as waste soil after soil cleanup  
of spilled oil  
soil is sandy, mostly clean, fairly stiff  
but at some places there is a small leak  
from 71-10.0  
from 72-10.0  
inspector also saw the 11.5 BTX - when  
digged on metal barrel

Contact \_\_\_\_\_  
Title \_\_\_\_\_  
Signature [Signature]  
Inspector AS Nam  
Signature \_\_\_\_\_

II, III





MERRITT

Corporation

Barney Chan

Oct 1~~7~~, 1995

Please be advised the  
time for the tank removal  
has been changed from 8 AM  
to 10 AM on Oct. 18, 1995  
for 1044 Fifth Ave Oakland  
Ca.

Jeffrey Hurd



Barney Chan

Oct. 16, 1995

The tank at the below address will be removed at 8 AM on Oct. 18-1995 as we have discussed our desire is to remove the tank as non-hazardous and transport it to another location to be used above ground.

If you have objections to this plan please communicate to me  
Phone 834-9104  
Beeper 425-9900

yours Truly  
Jeffrey Ham

B. Chan

795

ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY  
DEPARTMENT OF ENVIRONMENTAL HEALTH  
HAZARDOUS MATERIALS DIVISION

1131 HARBOR BAY PARKWAY, STE 250  
ALAMEDA, CA 94502-6577  
TELE: (510) 567-6700  
FAX: (510) 337-9335

ACCEPTED

Underground Storage Tank Closure Permit Application  
Alameda County Division of Hazardous Materials  
80 Swan Way, Suite 200,  
Oakland, CA 94621  
Telephone: (510) 271-4320

These closure/removal plans have been received and found to be acceptable and essentially meet the requirements of State and Local Health Laws. Changes to your closure plans in the future submitted to this Department are to assure compliance with State and Local Health Laws. The project proposed herein is now released for construction. Any required building permits for construction/development must be obtained. A copy of the accepted plans must be on the job and available to all contractors and craftsmen involved with the removal. Any changes or alterations of these plans and specifications must be submitted to this Department and to the Fire and Building Inspections Department to determine if such changes meet the requirements of State and local laws.

- 1 Need A+B form
- 2 Verify if they have HazSubst Removal + Remed. Act Certificate
- 3 Verify if tank will be <sup>if must</sup> hauled as h22 waste.
- 4 Clarify map + location of tank
- 5 No MSDS for Gas. Need action level conc (300ppm - TLV) must have instrument Capable of monitoring Gas conc to TLV level.

leave in front of office

UNDERGROUND TANK CLOSURE PLAN

Notify this Department at least 72 hours prior to the following required inspections: \* \* \* Complete according to attached instructions \* \* \*

- \_\_\_\_\_ Removal of Tank(s) and Piping
- \_\_\_\_\_ Sampling
- \_\_\_\_\_ Final Inspection

1. Business Name MERRITT ENVIRONMENTAL CORPORATION (None of a) permit to operate, b) permanent site closure is dependant on compliance with accepted plans and all applicable laws and regulations.

Business Owner JEFFREY HAMMOND

2. Site Address 1044 FIFTH AVENUE Contact Specialist: \_\_\_\_\_

City OAKLAND Zip 94606 Phone 834-9104

3. Mailing Address SAME AS ABOVE

City \_\_\_\_\_ Zip \_\_\_\_\_ Phone \_\_\_\_\_

4. Land Owner JEFFREY HAMMOND

Address 1044 FIFTH AVENUE city, state OAKLAND, CA zip 94606

5. Generator name under which tank will be manifested \_\_\_\_\_

MERRITT ENVIRONMENTAL CORPORATION

EPA I.D. No. under which tank will be manifested CAL000027540

\*THERE IS A FINANCIAL PENALTY FOR NOT OBTAINING THESE INSPECTIONS

6. Contractor MERRITT ENVIRONMENTAL CORPORATION  
Address 1044 FIFTH AVENUE  
City OAKLAND Phone 834-9104  
License Type\* B HAZ ID# 507315

\*Effective January 1, 1992, Business and Professional Code Section 7058.7 requires prime contractors to also hold Hazardous Waste Certification issued by the State Contractors License Board. Indicate that the certificate has been received, in addition, to holding the appropriate contractor's license type.

7. Consultant PAUL KING  
Address 4020 PANAMA COURT  
City OAKLAND, CA 94611 Phone 658-6916  
(FAX) (510) 658-9074

8. Contact Person for Investigation  
Name JEFFREY HAMMOND Title PRESIDENT  
Phone 834-9104

9. Number of tanks being closed under this plan 1  
Length of piping being removed under this plan -0-  
Total number of tanks at facility 1

10. State Registered Hazardous Waste Transporters/Facilities (see instructions).

\*\* Underground tanks are hazardous waste and must be handled \*\*  
as hazardous waste

a) Product/Residual Sludge/Rinsate Transporter

Name H & H ENVIRONMENTAL, INC. EPA I.D. No. CAD004771168  
Hauler License No. 0334 License Exp. Date 1/31/96  
Address 220 TERRY FRANCIOS/CHINA BASIN STREET  
City SAN FRANCISCO State CA Zip 94107

b) Product/Residual Sludge/Rinsate Disposal Site

Name GIBSON ENVIRONMENTAL EPA I.D. No. CAD043260702  
Address 475 SEAPORT BLVD.  
City REDWOOD CITY State CA Zip 94069

c) Tank and Piping Transporter

Name H & H ENVIRONMENTAL INC. EPA I.D. No. CAD004771168  
Hauler License No. 0334 License Exp. Date 1/31/96  
Address 220 TERRY FRANCIOUS/CHINA BASIN STREET  
City SAN FRANCISCO state CA Zip 94107

d) Tank and Piping Disposal Site **TO BE RENDERED NON-HAZARDOUS** *Lepest* ←

Name TANK MUST BE DISPOSED AS HAZARDOUS EPA I.D. No. \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ state \_\_\_\_\_ Zip \_\_\_\_\_

11. Experienced Sample Collector

Name PAUL KING \* *work above unpeel test*  
Company P & D ENVIRONMENTAL  
Address 4020 PANAMA COURT  
City OAKLAND state CA Zip 94611 Phone 658-6916

12. Laboratory

Name MCCAMPBELL ANALYTICAL  
Address 110 SECOND AVENUE, D-7  
City PACHECO state CA Zip 94553  
State Certification No. 1644

13. Have tanks or pipes leaked in the past? Yes [ ] No [x]

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

14. Describe methods to be used for rendering tank inert

INTRODUCE APPROXIMATELY 50 LBS. OF SOLID CARBON DIOXIDE.

MEASURE TANK ATMOSPHERE WITH EXPLOSIMETER FOR SAFETY

INSPECTION.

Before tanks are pumped out and inerted, all associated piping must be flushed out into the tanks. All accessible associated piping must then be removed. Inaccessible piping must be plugged.

The Bay Area Air Quality Management District (771-6000), along with local Fire and Building Departments, must also be contacted for tank removal permits. Fire departments typically require the use of explosion proof combustible gas meters to verify tank inertness. It is the contractor's responsibility to bring a working combustible gas meter on site to verify tank inertness.

15. Tank History and Sampling Information

Tank		Material to be sampled (tank contents, soil, ground-water, etc.)	Location and Depth of Samples
Capacity	Use History (see instructions)		
1,000 GAL	GAS ONLY, INCL LEAD	SOIL, GROUND WATER IF ENCOUNTERED	1-2 FEET IN NATIVE SOIL BENEATH ENDS OF TANK

One soil sample must be collected for every 20 feet of piping that is removed. A ground water sample must be collected should any ground water be present in the excavation.

ANALYSIS OF 2 SAMPLES UNDER TANK: TPH-G, MTBE, BTEX, TOTAL LEAD.  
DISPENSER LOCATED ABOVE TANK.  
NO PIPING OR DISPENSER TO BE SAMPLED.

Excavated/Stockpiled Soil	
Stockpiled Soil Volume (Estimated)	Sampling Plan
EST. 100 CY.	ONE FOUR POINT COMPOSITE FOR GAS AND B-TEX PENDING PIT SAMPLE RESULTS <i>Sampling should be in accordance to disposal method. 1 sple / 20 cy required for reuse.</i>

Stockpiled soil must be placed on bermed plastic and must be completely covered by plastic sheeting.

16. Chemical methods and associated detection limits to be used for analyzing samples

The Tri-Regional Board recommended minimum verification analyses and practical quantitation reporting limits should be followed. See attached Table 2.

Contaminant Sought	EPA, DHS, or Other Sample Preparation Method Number	EPA, DHS, or Other Analysis Method Number	Method Detection Limit
TPH-G	5030	GCFID	1.0 PPM
BTX+E	5030 / 8020	MTBE	.005 PPM
<del>TPH</del>	<del>8260</del>	<del>GCFID</del>	<del>1.0 PPM</del>
TOTAL LEAD OR TEL AS OPTION	7421	A.A. or ICAP PQL	.5 PPM

17. Submit Site Health and Safety Plan (See Instructions)

18. Submit Worker's Compensation Certificate copy

Name of Insurer ST. COMPENSATION INSURANCE FUND

19. Submit Plot Plan (See Instructions)

20. Enclose Deposit (See Instructions) DEPOSIT \$603.00

21. Report any leaks or contamination to this office within 5 days of discovery. The report shall be made on an Underground Storage Tank Unauthorized Leak/Contamination Site Report form. (see Instructions)

22. Submit a closure report to this office within 60 days of the tank removal. This report must contain all the information listed in item 22 of the instructions.

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 health and safety. 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.

Once I have received my stamped, accepted closure plan, I will contact the project Hazardous Materials Specialist at least three working days in advance of site work to schedule the required inspections.

Signature of Contractor

Name (please type) MERRITT ENVIRONMENTAL CORPORATION

Signature [Handwritten Signature]

Date 7-20-95

Signature of Site Owner or Operator

Name (please type) MERRITT ENVIRONMENTAL CORPORATION

Signature [Handwritten Signature]

Date 7-20-95



**STATE  
COMPENSATION  
INSURANCE  
FUND**

P.O. BOX 420807, SAN FRANCISCO, CA 94142-0807

**CERTIFICATE OF WORKERS' COMPENSATION INSURANCE**

JULY 20, 1995

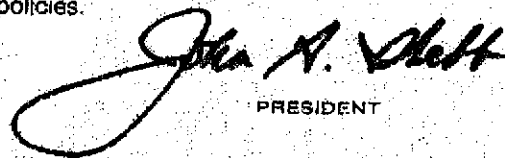
POLICY NUMBER: 1228057-94  
CERTIFICATE EXPIRES: 10-23-95COUNTY OF ALAMEDA  
BLDG. INSP. DEPT.  
399 ELMHURST ST., RM. 141  
HAYWARD, CA 94544JOB: 1044 5TH ST.  
OAKLAND, CA 94606

This is to certify that we have issued a valid Workers' Compensation Insurance policy in a form approved by the California Insurance Commissioner to the employer named below for the policy period indicated.

This policy is not subject to cancellation by the Fund except upon ten days' advance written notice to the employer.

We will also give you TEN days' advance notice should this policy be cancelled prior to its normal expiration.

This certificate of Insurance is not an insurance policy and does not amend, extend or alter the coverage afforded by the policies listed herein. Notwithstanding any requirement, term, or condition of any contract or other document with respect to which this certificate of insurance may be issued or may pertain, the insurance afforded by the policies described herein is subject to all the terms, exclusions and conditions of such policies.



PRESIDENT

EMPLOYER

MERRITT ENVIRONMENTAL CORPORATION  
1044 5TH AVE.  
OAKLAND, CA 94606



## CONTRACTORS STATE LICENSE BOARD

2935 GOETHE ROAD, SACRAMENTO, CALIFORNIA  
MAILING ADDRESS: P.O. BOX 26000  
SACRAMENTO, CALIFORNIA 95826



1-800-321-CSLB  
916-255-3900

TEMPORARY POCKET CERTIFICATION

LICENSE NO. 507315

DATE: 04-28-95

MERRITT ENVIRONMENTAL CORP  
1044 FIFTH AVENUE  
OAKLAND, CA 94606

CLASSIFICATION: B, C-8, C-33, C-39  
C-43, ASB  
EXPIRATION DATE: 03-31-97

STATUS: ACTIVE

SIGNATURE

This Certification is void on 10-28-95. If a Pocket License has been requested, it will be mailed to the address of record at a later date.

13A-37 (Rev. 1/91)

ALAMEDA COUNTY HAZARDOUS MATERIALS DIVISION  
Acknowledgement of Refund Recipient for Site Account  
DEPOSITOR FILLS OUT PER SITE  
-- REQUIRED --

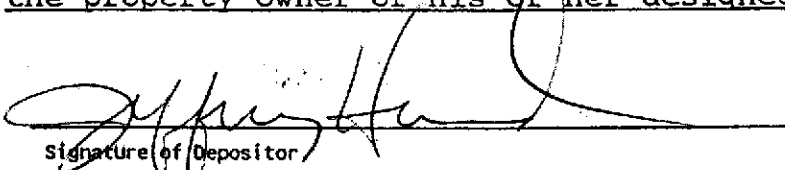
The depositor will use this form to acknowledge that the property owner or his or her designee will receive any refund due at the completion of all deposit/refund projects at the site listed below.

SITE NUMBER/ADDRESS:

REFUND RECIPIENT-PROPERTY OWNER

Site Number		Site Number	
MERRITT ENVIRONMENTAL CORP.		JEFFREY HAMMOND	
Company Name		Owner's Name	
1044 FIFTH AVENUE		1044 FIFTH AVENUE	
Street Address		Owner's Address	
OAKLAND, CA 94606		OAKLAND, CA 94606	
City	Zip Code	Owner's City	State Zip

I have read the description of the project Deposit/Refund Procedure, and have had an opportunity to ask questions about it. I understand that regardless of who deposits money into the site account, any deposit money remaining at the completion of all projects being conducted at this site will be refunded solely to the property owner or his or her designee.

  
Signature of Depositor

7-20-95  
Date

JEFFREY HAMMOND  
Depositor Name

MERRITT ENVIRONMENTAL CORPORATION  
Company Name

1044 FIFTH AVENUE  
Street Address

OAKLAND, CA 94606  
City / Zip



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13A-37 (Rev. 1/91)

SITE SAFETY PLAN

A. GENERAL INFORMATION

SITE: Merritt Environmental Corporation

LOCATION: 1044 Fifth Avenue, Oakland, CA 94606

PLAN PREPARED BY: Jeffrey Hammond DATE: 7/19/95

PROPOSED DATE OF INVESTIGATION: August 14, 1995

BACKGROUND REVIEW: Complete:        Preliminary: x

DOCUMENTATION/SUMMARY: OVERALL HAZARD: Serious:        Moderate:         
Low: x Unknown:       

B. SITE/WASTE CHARACTERISTICS

WASTE TYPE(S): Liquid: x Solid: x Sludge:        Gas: x

CHARACTERISTIC(S): Corrosive:        Ignitable: x Radioactive:         
Volatile: x Toxic: x Reactive:        Unknown:        Other (Name):       

FACILITY DESCRIPTION:

Principle Disposal Method (Type and Location): Soil to be stored on visqueen. Tank to be hauled as hazardous waste or made non-hazardous on site.

Unusual Features (Power Lines, Terrain, Utilities, Etc.): None

STATUS: Active: x Inactive:        Unknown:       

HISTORY (Agency Action, Complaints, Injuries, Etc.): None known.

C. HAZARD EVALUATION

PARAMETER:	TLV (ppm)	IDLH (ppm)	LEL (%)	skin	eyes	inge	inha
------------	--------------	---------------	------------	------	------	------	------

See attached MSDSs for Gasoline and Diesel.

SPECIAL PRECAUTIONS AND COMMENTS: Watch for heavy equipment. Keep non-essential personnel out of work area.

D. SITE SAFETY WORKPLAN

PERIMETER ESTABLISHMENT: Map/Sketch Attached:        Site Secured:         
Perimeter Identified:        Zone(s) of Contamination Identified:         
Perimeter to be defined with construction fence.

PERSONAL PROTECTION:

Level of Protection: A:        B:        C:        D: x

Modifications: Organic vapor acid gas cartridge as appropriate.

Surveillance Equipment and Materials:

Instrument	Action Level
------------	--------------

PID	300 ppm
-----	---------

**SITE PROCEDURES:** Break concrete, uncover tank, inert tank atmosphere,  
remove tank, load tank, collect soil sample, backfill excavation.

**DECONTAMINATION PROCEDURES:**

**Personal:** Soap and water wash; clean water rinse.

**Equipment:** Steam clean or soap and water wash; clean water rinse.

**FIRST AID:** In Merritt Environmental office

**WORK LIMITATIONS (Time of Day, Weather, Heat/Cold Stress):** Watch for  
slippery conditions resulting from rain.

**INVESTIGATION-DERIVED MATERIAL DISPOSAL:** To be determined pending  
laboratory analysis.

**TEAM COMPOSITION:**

Team Member	Responsibility
Jeffrey Hammond	Site Safety Officer

**E. EMERGENCY INFORMATION**

**LOCAL RESOURCES:**

**Ambulance:** 911

**Hospital:** Highland Hospital, 1411 E. 31st Street, Oakland

**Poison Control Center:** 911

**Police:** 911

**Fire Department:** 911

**Explosives Unit:** 911

**Agency Contact:** Pam Evans (510) 567-6770

**SITE RESOURCES:**

**Water Supply:** Yes

**Telephone:** Yes

**Radio:** No

**Other:** None

**EMERGENCY CONTACT:**

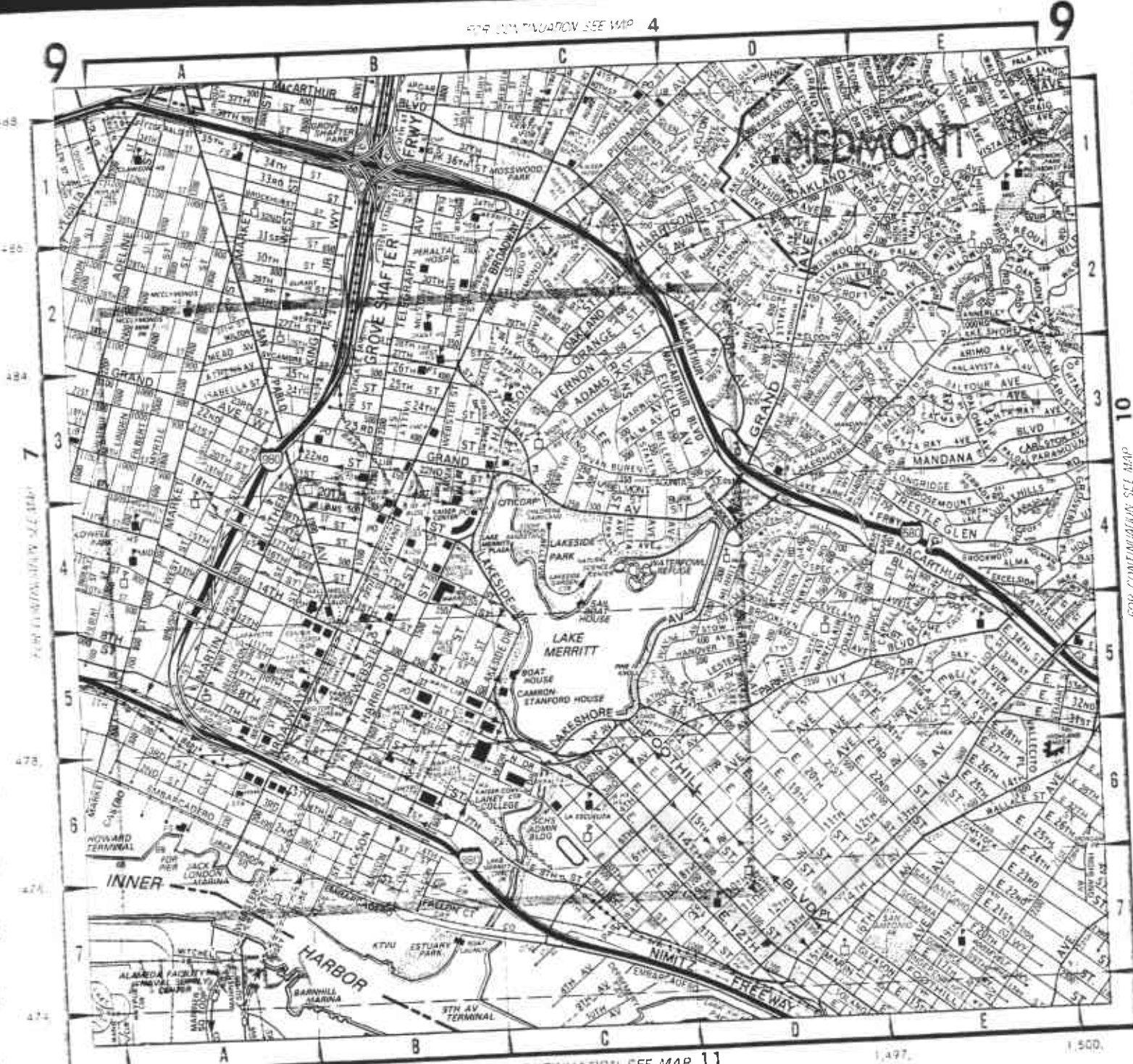
**Name:** Jeffrey Hammond **Phone Number:** (510) 834-9104

**EMERGENCY ROUTES: (Give road or other directions; attach map)**

Hospital: Highland Hospital. (510) 534-8055. Exit site. Right on  
5th Ave., Right on E. 14th Street, left of 13th Avenue, Right on  
E. 31st Street. Hospital located at 1411 E. 31st Street Between  
13th Ave. & 14th Ave. See map attached.

**SITE SKETCH: (Work Zones, Command Post, Etc.)**  
**See attached**

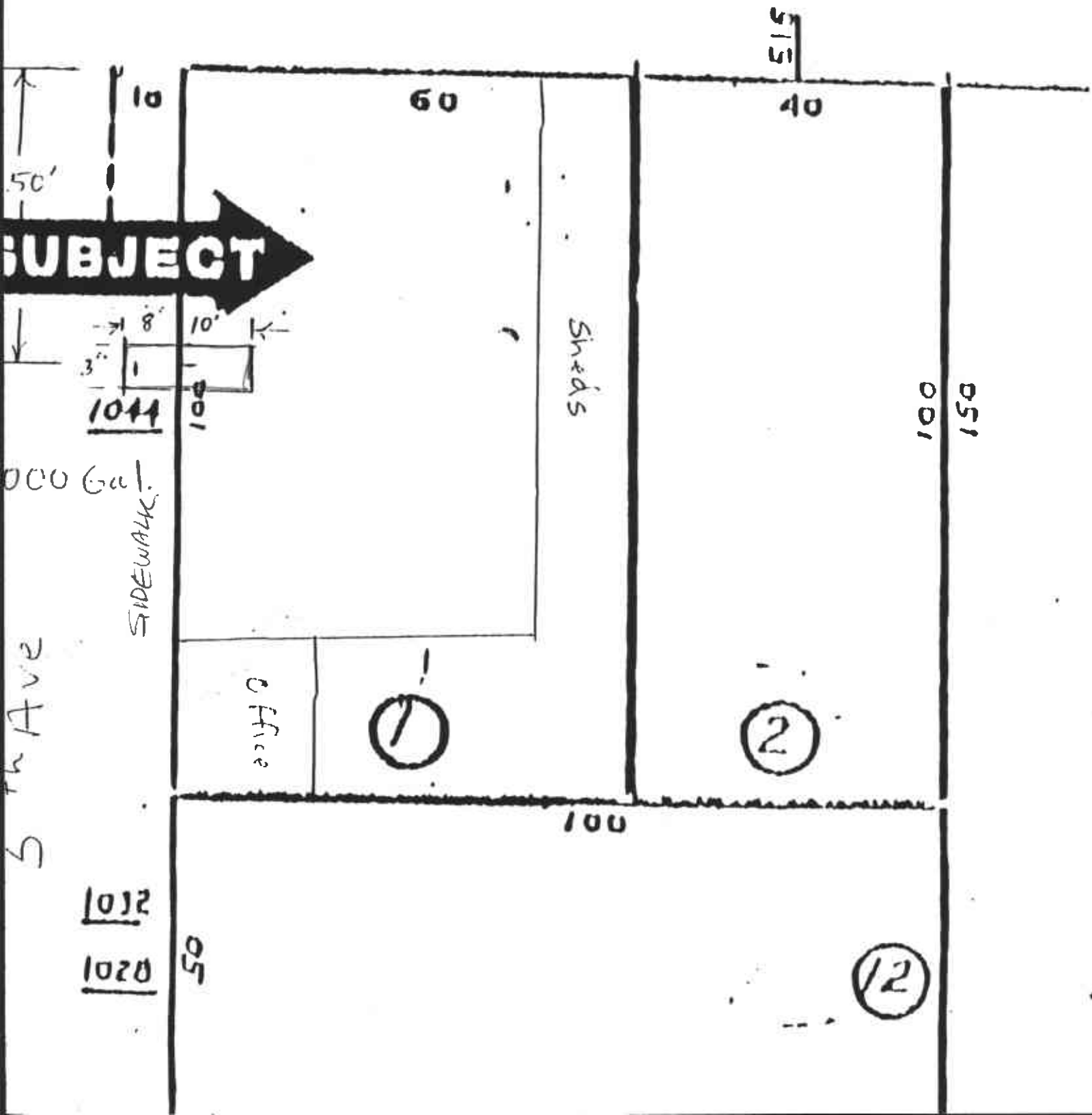
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FOR CONTINUATION SEE MAP 7

FOR CONTINUATION SEE MAP 10

E. 11<sup>th</sup> St.



**SUBJECT** →

5<sup>th</sup> Ave

1000 Gal.  
SIDEWALK

1044

1001

60

515

40

Sheds

1001

051

Office

①

②

100

⑫

1012

1020

05