



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

March 21, 2012

Mr. Steven Hill
San Francisco Bay Regional Water Quality Control Board
1515 Clay Street, Suite 1400
Oakland, CA 94612
(sent via electronic mail to: SHill@waterboards.ca.gov)

Subject: Notice of Enforcement Referral; Fuel Leak Case No. RO0000419 and GeoTracker Global ID T0600102304, Merritt Environmental Corporation, 1044 5th Avenue, Oakland, CA 94606

Dear Mr. Hill:

This is a notice of an enforcement referral for the subject site. Site Responsible Parties are non-responsive to Alameda County Environmental Health (ACEH) requests and are recalcitrant. The site has accumulated a series of Notice of Violations from ACEH. As a consequence, ACEH is referring this site to the San Francisco Bay Regional Water Quality Control Board for enforcement actions.

Site Background

One 1,000-gallon gasoline UST was removed from the site. Soil samples collected below the UST contained total petroleum hydrocarbons as gasoline (TPHg) at concentrations of 130 and 64 milligrams per kilogram. TPHg and benzene were detected in a grab groundwater sample collected from boring B-3 at concentrations of 60,000 and 1,800 µg/L, respectively. A two-story building was constructed directly over the former tank pit and residual contamination in the area of boring B-3 in 2000. No soil vapor sampling was conducted at the site.

Notices of Violation were issued on July 24, 2009 and February 28, 2011 for non-compliance with Geotracker regulations. A Notice to Comply was issued on July 18, 2011 and a Notice of Violation was issued on November 7, 2011. The Responsible Party has not responded to any enforcement directives issued to date.

Should you have any questions, please contact me at (510) 567-6791 or send me an electronic mail message at jerry.wickham@acgov.org.

Sincerely,

Jerry Wickham
Senior Hazardous Materials Specialist

c: Michael Liu, MLSC Investment LLC, 1663 MacArthur Blvd., Oakland, CA 94602-1661

Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341, Oakland, CA 94612-2032 (Sent via E-mail to: lgriffin@oaklandnet.com)

Donna Drogos, ACEH, (sent via electronic mail to donna.drogos@acgov.org)
Jerry Wickham, ACEH, (sent via electronic mail to jerry.wickham@acgov.org)

Geotracker, e-File