

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



ENVIRONMENTAL HEALTH SERVICES

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

RO0000463

October 11, 2002

Ms. Shirley Howkins
1745 Shue, #112
Walnut Creek, CA 94596

Mr. Richard Sciortino
2528 Adeline Street
Oakland, CA 94607

RE: Work Plan Approval for 2526 Adeline Street, Oakland, CA

Dear Ms. Howkins and Mr. Sciortino:

I have completed review of Fugro West, Inc.'s October 2002 work plan titled *Supplemental Subsurface Investigation and Supplemental Risk Evaluation* that was prepared for the above referenced site. Five soil borings are proposed at the site. Two will be advanced within the former tank pit and three will be advanced along the east and south perimeter of the property. Soil samples will be collected from the borings advanced in the former tank pits to verify barium, toluene, and benzene concentrations. Groundwater samples will be collected from the other three borings for HVOC analysis to determine if there is an off-site source for the solvents. Select soil samples will also be tested for grain size and moisture content. Data from this investigation will be used to amend a risk assessment.

The proposed work plan is acceptable. Field work should commence within 60 days of the date of this letter, or by **December 16, 2002**. Please provide at least 72 hours notice prior to the start of field activities. If you have any questions, I can be reached at (510) 567-6762.

eva chu
Hazardous Materials Specialist

email: Jeriann Alexander (Fugro)

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



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

RO0000463

June 28, 2002

Ms. Shirley Howkins
1745 Shue, #112
Walnut Creek, CA 94596

Mr. Richard Sciortino
2528 Adeline Street
Oakland, CA 94607

RE: Risk Assessment Addendum for 2526 Adeline Street, Oakland, CA

Dear Ms. Howkins and Mr. Sciortino:

I have completed review of the case file to determine if closure is warranted at this time. Environmental investigations were conducted at the site to evaluate the release of petroleum hydrocarbon products from two former underground storage tanks. Soil samples collected from the vicinity of the former solvent tank identified up to 11 mg/kg benzene and 11 mg/kg toluene. Groundwater monitoring wells were installed to evaluate groundwater conditions. Groundwater contained petroleum hydrocarbons in the gasoline and kerosene range as well as some chlorinated solvents. A preliminary human health risk assessment was prepared for the site. Groundwater contaminant concentrations were compared with the ASTM's Standard Guide for RBCA at Petroleum Release Sites, Tier 1 Look Up Table. Representative site concentrations were below the Risk Based Screening Levels for a commercial scenario.

Not evaluated in the risk assessment was the potential impact due to residual benzene and toluene in soil. Before I will continue to evaluate the case for closure, an addendum to the risk assessment is required that will evaluate human health risk due to residual benzene and toluene. An amended risk evaluation is due within 60 days of the date of this letter, **or by September 3, 2002.**

If you have any questions, I can be reached at (510) 567-6762.

eva chu
Hazardous Materials Specialist

Chu, Eva, Env. Health

From: Chu, Eva, Env. Health
Sent: August 20, 2001 5:01 PM
To: 'Alexander, Jeriann'
Subject: 2528 Adeline, Oakland, CA

Hi JeriAnn,

What is the latest scoop regarding the above referenced site. When I reviewed the RBCA prepared for the site, I requested that benzene concentration in soil samples collected from the solvent tank be included in the RBCA. If benzene does not pass for a residential scenario, a deed restriction will probably be required.
evachu

Alameda County Environmental Health
1131 Harbor Bay Parkway
Alameda, CA 94502
(510) 567-6762
(510) 337-9335 fax

8/29/01 Jeri Ann will contact site to see what he
wants to do. SCI not returned to do anything at this time.
u/a/z No response from Jeri Ann

ENVIRONMENTAL
PROTECTION

00 MAR -8 PM 1:18

Ms. Shirley B. Howkins
1745 Shue Avenue, Apt. 112
Walnut Creek, CA 94596

LS
ST10 266

March 3, 2000

Alameda County Health Care Services
Environmental Health Services
Environmental Protection
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502
Attn: Thomas Peacock, Manager

Re: Notice of Proposed Action Submitted to Local Agency for
2528 Adeline Street, Oakland, CA 94607

Gentlemen:

In accordance with Section 25297.15(a) of Chapter 6.7 of the Health & Safety Code, I, Shirley B. Howkins, certify that I have notified all responsible landowners of the enclosed proposed action, to wit, local agency intention to make a determination that no further action is required.

Sincerely,

Shirley B. Howkins

Shirley B. Howkins

cc: Mr. Richard Sciortino

ENVIRONMENTAL
PROTECTION

00 MAR -8 PM 1:17

Ms. Shirley B. Howkins
1745 Shue Avenue, Apt. 112
Walnut Creek, CA 94596

March 3, 2000

Alameda County Health Care Services
Environmental Health Services
Environmental Protection
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502
Attn: Thomas Peacock, Manager

Re: Certified List of Record Fee Owners for
2528 Adeline Street, Oakland, CA 94607

Gentlemen:

In accordance with Section 25297.15(a) of Chapter 6.7 of the Health & Safety Code, I, Shirley B. Howkins, certify that the following is a complete list of current record fee title owners and their mailing addresses for the above site:

Mr. Richard Sciortino, 2528 Adeline Street, Oakland, CA 94607

Sincerely,

Shirley Howkins

Shirley B. Howkins

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



March 1, 2000

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

Ms. Shirley Howkins c/o
Mr. Gerald C. Smith
Fitzgerald, Abbott & Beardsley LLP
1221 Broadway, 21st Floor
Oakland, CA 94612-1837
STID 266

INTENT TO MAKE A DETERMINATION THAT NO FURTHER ACTION IS
REQUIRED OR ISSUE A CLOSURE LETTER FOR AERVOE PACIFIC, 2528
ADELINE STREET, OAKLAND, CA 94607

Dear Ms. Howkins:

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.

If you have any questions about these proposed actions, please contact Larry Seto at (510) 567-6774.

Sincerely,

Thomas Peacock
Manager, LOP

cc: Chuck Headlee, RWQCB
Leroy Griffin, City of Oakland Fire Department, 1603 Martin Luther King,
Oakland, CA 94612
Larry Seto, Alameda County Environmental Health
Files



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

March 1, 2000

Ms. Shirley Howkins c/o
Mr. Gerald C. Smith
Fitzgerald, Abbott & Beardsley LLP
1221 Broadway, 21st Floor
Oakland, CA 94612-1837
STID 266

RE: Former Aervoe Pacific, 2528 Adeline Street, Oakland, CA 94607

LANDOWNER NOTIFICATION AND PARTICIPATION REQUIREMENTS

Dear Ms. Howkins:

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, you have 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

Former Aervoe Pacific, 2528 Adeline Street, Oakland, CA 94607

March 1, 2000

Page 2 of 5

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) 567-6774 should you have any questions about the content of this letter.

Sincerely,



Larry Seto
Sr. Hazardous Materials Specialist

Attachments

cc: Chuck Headlee, RWQCB

Former Aervoe Pacific, 2528 Adeline Street, Oakland, CA 94607
March 1, 2000
Page 3 of 5

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

Former Aerove Pacific, 2528 Adelline Street, Oakland, CA 94607

March 1, 2000

Page 4 of 4

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



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

April 29, 1999

Ms. Jeriann Alexander
Subsurface Consultants
3736 Mt. Diablo Blvd., Suite 200
Lafayette, CA 94549-3659

RE: 2528 Adeline Street, Oakland, CA 94607

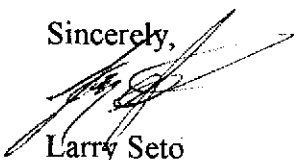
Dear Ms. Howkins:

As per our telephone conversation today, please submit the following information listed below to assist me in preparing the case closure summary for the above site.

- 1) Background summary of the site including but not limited to former owner(s), tenant(s), use of site, etc.
- 2) Detail summary of the different phases of the investigation
- 3) Detail summary of all remediation efforts. If there was off-site disposal, submit copies of all manifest and/or receipt
- 4) Explanation for the source of the barium, selenium and volatile organic compounds detected in the soil and groundwater.

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

Sincerely,


Larry Seto
Sr. Hazardous Materials Specialist

Cc: Shirley Howkins, c/o Gerald Smith, Fitzgerald, Abbott & Beardsley LLP,
1221 Broadway, 21st Floor, Oakland, CA 94612-1837
Leroy Griffin, City of Oakland-Fire Department, 505-14th Street, 7th Floor,
Oakland, CA 94612

Files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



ENVIRONMENTAL HEALTH SERVICES

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

January 22, 1999

Ms. Meg Mendoza
Subsurface Consultant
3736 Mt. Diablo Blvd., Suite 200
Lafayette, CA 94549-3659

RE: Former Aervoe Pacific, 2528 Adeline Street, Oakland, CA 94607

Dear Ms. Mendoza:

I am preparing the case closure summary for the site at the above address. I have reviewed the file for the site, and could not locate the following documents listed below.

- 1) Site map drawn to scale identifying the location of the underground tank (UGT) that was removed in ~June 1987
- 2) Copy of the manifest(s) for the disposal of the underground tanks, piping, soil, etc.
- 3) Documentation of the exact date(s) MW-1, MW-2 and MW-3 were installed, and a copy of their boring logs
- 4) Summary of the laboratory results for the soil and water samples collected during monitoring well installations.
- 5) Final disposition of the excavated soil related to the UGT removal

Please forward the above items to assist me in preparing the closure summary for this site.

Sincerely,



Larry Seto
Sr. Hazardous Materials Specialist

Cc: Shirley Howkins c/o Gerald Smith, Fitzgerald, Abbot & Beardsley, 1221
Broadway, 21 Floor, Oakland, CA 94612-1837

Files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENT
DAVID J. KEARS, Agent, L.P.C.

ENVIRONMENTAL
ENVIRONMENTAL
1131 Harbor Blvd. Suite
Alameda, CA 94501
Tel: (510) 567-6774
FAX: (510) 337-8131

December 31, 1997
STID #266

Shirley B. Howkins
Formerly Aeroe Pacific
1132 Carpentier St., #207
San Leandro, CA 94577


Dear Shirley B. Howkins:

This office has received and reviewed Quarterly Monitoring Reports dated March 5, 1997 and September 26, 1997 by Subsurface Consultants, Inc. for the above site. The following are comments concerning these reports:

1. This office accepts the "conclusions" and petition which runs from page 2 to page 3 of the latter report. It is assumed that MTBE does not have to be tested for because motor vehicle fuel was never used at the site.
2. Biannual testing, as stated in the first report, is acceptable.
3. This case may be acceptable for closure after the next round of sampling. Closure should be requested if it is desired.

Please contact Larry Seto at (510) 567-6774 if you have any questions.

Sincerely,


Thomas Peacock, Manager
Division of Environmental Protection

c: Meg Mendoza, Subsurface Consultants, Inc., 3736 Mt. Diablo
Blvd., Suite 200, Lafayette, CA 94549
Dick Pantages - Chief Files
LeRoy Griffin, City of Oakland Hazardous Materials

FITZGERALD, ABBOTT & BEARDSLEY LLP

ATTORNEYS AT LAW

1221 BROADWAY, 21ST FLOOR
OAKLAND, CALIFORNIA 94612-1837

TELEPHONE: (510) 451-3300

PLEASE REPLY TO:

P. O. Box 12867
OAKLAND, CALIFORNIA 94604-2867

R. M. FITZGERALD 1858-1934
CARL H. ABBOTT 1867-1933
CHARLES A. BEARDSLEY 1882-1963

FACSIMILE: (510) 451-1527

JAMES C. SOPER, INC.
PHILIP M. JELLEY, INC.
GERALD C. SMITH
LAWRENCE R. SHEPP
RICHARD T. WHITE
MICHAEL P. WALSH
J. BRITTAIN HABEGGER
VIRGINIA PALMER
TIMOTHY H. SMALLSREED
STEPHEN M. JUDDSON
STEPHEN M. WILLIAMS
JONATHAN W. REDDING
BETH E. ASPEDON
KRISTIN A. PACE
MICHAEL M. K. SEBREE
ANTONIA L. MORE
SARAH ROBERTSON McCUAIG
PHILIP E. DRYSDALE
KRISTEN THALL PETERS
JAY M. GOLDMAN
CARLO C. MORMORUNNI
MICHAEL S. WARD
JEAN C. FUNG
FATIMA M. BRUNSON

March 7, 1997

266

Dale Klettke
Alameda County Health Care Services Agency
Department of Environmental Health
1131 Harbor Bay Parkway
Alameda, California 94502-6577

Re: 2528 Adeline Street, Oakland, California

Dear Mr. Klettke:

I enclose herewith, one copy of the report (the "Report") prepared by Subsurface Consultants, Inc. in connection with the January 1997 groundwater monitoring event for the above-referenced site ("Site").

The January 1997 monitoring event was the fourth of four scheduled events. Per your letter of January 14, 1997, we will now adhere to a semi-annual schedule of monitoring. In the interim, please advise regarding the requisite steps to achieving closure of this site.

Thank you for your continuing assistance in this matter.

Very truly yours,

FITZGERALD, ABBOTT & BEARDSLEY LLP

By 
Carlo C. Mormorunni

CCM:jg
Enclosure
cc: Ms. Shirley Howkins (w/o encl.)

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY
DAVID J. KEARS, Agency Director

STID 266

January 14, 1997

Shirley B. Howkins
Formerly Aervoe Pacific
1132 Carpentier Street #207
San Leandro, CA 94577

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

RE: 2528 ADELIN STREET, OAKLAND CA 94607

Dear Ms. Howkins,

This office recently completed a review of the case file for the above referenced Oakland site up to and including the Subsurface Consultants, Inc. (SCI) "Quarterly Groundwater Monitoring" report dated November 26, 1996.

As documented in the SCI November 26, 1996 report, total volatile hydrocarbons (TVH), total extractable hydrocarbons (TEH), oil and grease (O&G) and BTEX were not detected in groundwater samples collected from wells MW-1 through MW-3, on 10/31/96.

At this time please adhere to a revised **semi-annual (1st and 3rd quarters)** schedule of well sampling, monitoring, and report submittal as referenced in Title 23, California Code of Regulations (CCR) section 2652(d). Please have these groundwater samples analyzed for total petroleum hydrocarbons as gasoline, kerosene and stoddard solvent (TPHg, TPHk and TPHss), the aromatic hydrocarbons benzene, toluene, ethyl benzene and total xylene isomers (BTEX), oil and grease (O&G), the heavy metals barium and selenium, and volatile organic compounds (VOCs) as per EPA Method 8240. In addition, please have the groundwater samples filtered before performing metals analyses.

Please feel free to contact me directly at (510)567-6880 if you have any questions regarding the content of this letter.

Sincerely,

Dale Klettke, CHMM
Hazardous Materials Specialist

c: Carlo Mormorunni, Fitzgerald, Abbott & Beardsley, 1221 Broadway, 21st Floor, Oakland
CA 94612-1837

Dale Klettke--files

0266semi.ann

Be

FITZGERALD, ABBOTT & BEARDSLEY LLP
ATTORNEYS AT LAW

1221 BROADWAY, 21ST FLOOR
OAKLAND, CALIFORNIA 94612-1837

TELEPHONE: (510) 451-3300

PLEASE REPLY TO:

P. O. Box 12867
OAKLAND, CALIFORNIA 94604-2867

December 2, 1996

R. M. FITZGERALD 1858-1934
CARL H. ABBOTT 1867-1933
CHARLES A. BEARDSLEY 1882-1963

FACSIMILE: (510) 451-1527

JAMES C. SOPER, INC.
PHILIP M. JELLEY, INC.
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MICHAEL S. WARD
JEAN C. FUNG

STD
266

Dale Klettke
Alameda County Health Care Services Agency
Department of Environmental Health
1131 Harbor Bay Parkway
Alameda, California 94502-6577

Re: 2528 Adeline Street, Oakland, California

Dear Mr. Klettke:

I enclose herewith, one copy of the report (the "Report") prepared by Subsurface Consultants, Inc. in connection with the October 1996 groundwater monitoring event for the above-referenced site ("Site").

The October 1996 monitoring event was the third of four scheduled events. The final monitoring event will be conducted in January of 1997. However, since the past several monitoring events have not detected TEHs above reportable limits in MW-2 and MW-3, and because none of the monitoring wells have shown signs of oil and grease, Toluene, or Benzene contamination for the past three monitoring events, please advise me whether you still require that tests for those compounds be conducted.

Thank you for your assistance in this matter.

Very truly yours,

FITZGERALD, ABBOTT & BEARDSLEY LLP

By 
Carlo C. Mormorunni

CCM:ttj
Enclosure
cc: Ms. Shirley Howkins (w/o encl.)

JAMES C. SOPER, INC.
PHILIP M. JELLEY, INC.
GERALD C. SMITH
LAWRENCE R. SHEPP
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FITZGERALD, ABBOTT & BEARDSLEY LLP

ATTORNEYS AT LAW

1221 BROADWAY, 21ST FLOOR
OAKLAND, CALIFORNIA 94612-1837

TELEPHONE: (510) 451-3300

PLEASE REPLY TO:

P. O. Box 12867
OAKLAND, CALIFORNIA 94604-2867

R. M. FITZGERALD 1858-1934
CARL H. ABBOTT 1867-1933
CHARLES A. BEARDSLEY 1882-1963
FACSIMILE: (510) 451-1527

90 SEP -6 PM 3:37
PROTECTION

September 5, 1996

Dale Klettke
Alameda County Health Care Services Agency
Department of Environmental Health
1131 Harbor Bay Parkway
Alameda, California 94502-6577

Re: 2528 Adeline Street, Oakland, California

Dear Mr. Klettke:


In accordance with the request set forth in your letter to Ms. Shirley Howkins of March 21, 1996, I am enclosing herewith, one copy of the report (the "Report") prepared by Subsurface Consultants, Inc. in connection with the July 1996 groundwater monitoring event for the above-referenced site ("Site").

As set forth in the Report, the analytical testing results performed by Curtis & Tompkins, Ltd., appear to indicate that the contamination levels at the Site have subsided since the last monitoring event and fall below the tier-1 RBCA levels. Accordingly, once you have had an opportunity to review the Report, please call me to discuss the closure of the Site.

Thank you for your assistance in this matter.

Very truly yours,

FITZGERALD, ABBOTT & BEARDSLEY LLP



By
Carlo C. Mormorunni

CCM:ttj
Enclosure
cc: Ms. Shirley Howkins (w/o encl.)

JAMES C. SOPER, INC.
PHILIP M. JELLEY, INC.
GERALD C. SMITH
LAWRENCE R. SHEPP
RICHARD T. WHITE
MICHAEL P. WALSH
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MATTHEW P. MATIASEVICH
PAUL B. SALVATY
CARLO C. MORMORUNNI
MICHAEL S. WARD
JEAN C. FUNG

ENVIRONMENTAL
PROTECTION

FITZGERALD, ABBOTT & BEARDSLEY LLP

ATTORNEYS AT LAW

96 MAY 30 PM 1:12

1221 BROADWAY, 21ST FLOOR

OAKLAND, CALIFORNIA 94612-1837

TELEPHONE: (510) 451-3300

PLEASE REPLY TO:

P. O. Box 12867

OAKLAND, CALIFORNIA 94604-2867

May 29, 1996

STD
266

R. M. FITZGERALD 1858-1934
CARL H. ABBOTT 1867-1933
CHARLES A. BEARDSLEY 1882-1963
FACSIMILE: (510) 451-1527

Dale Klettke
Alameda County Health Care Services Agency
Department of Environmental Health
1131 Harbor Bay Parkway
Alameda, California 94502-6577

Re: 2528 Adeline Street, Oakland, California

Dear Mr. Klettke:

In accordance with the request set forth in your letter to Ms. Shirley Howkins of March 21, 1996, I am enclosing herewith, one copy of the quarterly groundwater monitoring report (the "Report") prepared by Subsurface Consultants, Inc. for the above-referenced site ("Site").

As set forth in the Report, the analytical testing results performed by Curtis & Tompkins, Ltd., appear to indicate that the contamination levels at the Site fall below the tier-1 RBCA levels. Accordingly, once you have had an opportunity to review the Report, please call me to discuss the closure of the Site.

Thank you for your assistance in this matter.

Very truly yours,

FITZGERALD, ABBOTT & BEARDSLEY LLP



By

Carlo C. Mormorunni

CCM:smr
Enclosure
cc: Ms. Shirley Howkins (w/encl.)

Transfer of Eligible Local Oversight Case

STID Helo Date of input/By: 2/21/96 TA

Date: 2/26/96 From: DAVE KLETTE

Site Name: FORMER ACME PACIFIC (OWNED BY SHIRLEY HOOKINS)

Address: 2528 ADELINE STREET City: OAKLAND Zip: 94607
PARCEL 5-436-1

To be eligible for LOP, case must meet 3 qualifications:

1. Y N Tanks Removed? # of removed? 2 Date removed: 6/87 THINNER
8/88 KEROSENE
2. Y N Samples received? Contamination level: 160 ppm (THINNER TANK)
 Type of test TOTAL FUEL HYDROCARBONS
 Contamination should be over 100 ppm TPH to qualify for LOP
3. Y N Petroleum? Circle Type(s): • Avgas • leaded • unleaded • fuel oil • jet
 • diesel • waste oil • kerosene • solvents

Procedure to follow should your site meet all the above qualifications:

1. a. Close the deposit refund case.
 b. Account for ALL time you have spent on the case.
 c. Turn in account sheet to Leslie.
 If there are funds still remaining it is still better to transfer the case to LOP as the rate for LOP allows more overhead. **DO NOT** attempt to continue to oversee the site simply because there are funds remaining!

Remaining DepRef \$'s: 0
 DepRef Case Closed with Candyce/Leslie? Y N (If no, explain why below.)

2. Submit the completed **A** and **B** permit application forms to **NORMA**.
3. Give the entire case to the proper LOP staff.

FITZGERALD, ABBOTT & BEARDSLEY

ATTORNEYS AT LAW

1221 BROADWAY, 21ST FLOOR

OAKLAND, CALIFORNIA 94612-1837

TELEPHONE: (510) 451-3300

R. M. FITZGERALD 1858-1934
CARL H. ABBOTT 1867-1933
CHARLES A. BEARDSLEY 1882-1963

PLEASE REPLY TO:

P. O. Box 12867

OAKLAND, CALIFORNIA 94604-2867

FACSIMILE: (510) 451-1527

JAMES C. SOPER, INC.
PHILIP M. JELLEY, INC.
GERALD C. SMITH
LAWRENCE R. SHEPP
RICHARD T. WHITE
MICHAEL P. WALSH
J. BRITTAIN HABEGGER
VIRGINIA PALMER
TIMOTHY H. SMALLSREED
STEPHEN M. JUDSON
STEPHEN M. WILLIAMS
JONATHAN W. REDDING
BETH E. ASPEDON
KRISTIN A. PACE
ROBERT F. CAMPBELL
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ANTONIA L. MORE
SARAH ROBERTSON McCUAIG
PHILIP E. DRYSDALE
KRISTEN THALL PETERS
MATTHEW P. MATIASEVICH
PAUL B. SALVATY
CARLO C. MORMORUNNI
MICHAEL S. WARD

February 5, 1996

Alameda County Health Care Services
Agency, Environmental Protection
Attention: Jennifer Eberly
1131 Harbor Bay Parkway
Alameda, California 94502

Re: 2528 Adeline Street, Oakland, California

Dear Ms. Eberly:

Please find enclosed as **Exhibit "A,"** a copy of a letter dated December 18, 1995 that I received from Mr. Gary Rowe of Bay Area/Diablo Petroleum. Mr. Rowe's letter replied to my December 14, 1995 letter requesting all documents generated in connection with the removal of the underground storage tank ("UST") in June of 1987 from the above-referenced site (the "Site"). For your convenience, I am enclosing a copy of my December 14, 1995 letter as **Exhibit "B."**

In his December 18, 1995 letter, Mr. Rowe suggested that we contact an individual named Chuck O'Connor, who he believed might have had some connection to the removal of the UST. After several attempts at contacting Mr. O'Connor, I was finally able to reach him on January 2, 1996.

Mr. O'Connor currently is affiliated with O.C. Enterprises, a business located in Walnut Creek. Mr. O'Connor indicated that an entity with which he was formerly associated but which he claims is no longer in existence, Diablo Petroleum, Inc., removed the UST from the Site in 1987. I attempted to independently determine whether Diablo Petroleum, Inc., is still in existence by checking the local telephone directories and was unable to find a listing for the entity.

I requested from Mr. O'Connor all documents generated in connection with the 1987 UST removal. Mr. O'Connor faxed to this office the documents that are enclosed herewith as **Exhibit "C."**

Please write or call me with any questions or comments you might have.

Very truly yours,

FITZGERALD, ABBOTT & BEARDSLEY

By



Carlo C. Mormorunni

CCM:ttj

Enclosures

cc: Ms. Shirley Howkins (w/o encl.)
Gerald C. Smith, Esq. (w/o encl.)
Robert F. Campbell, Esq. (w/o encl.)



BAY AREA/DIABLO PETROLEUM COMPANY

1001 GALAXY WAY, SUITE 308
CONCORD, CA 94520
(510) 603-8670 FAX (510) 687-4587

COPY

December 18, 1995

Mr. Carlo C. Mormorunni
Fitzgerald, Abbott & Beardsley
1221 Broadway, 21st Floor
Oakland, CA 94612-1837

Re: UST Tank Removal - 2528 Adeline Street, Oakland, CA

Dear Mr. Mormorunni:

I believe the information you seek is in the hands of some other company. Bay Area/Diablo Petroleum did not become a business entity until October 1987.

Maybe one of the two companies operating prior to October might be able to help you, but I believe both are no longer operating; Diablo Tank and Equipment, Diablo Petroleum Inc.

May I suggest contacting Mr. Chuck O'Conner of Walnut Creek. Perhaps he might be able to assist you. He was involved with both companies.

Sincerely,

Gary Rowe
Manager, Customer Services

JAMES C. SOPER, INC.
PHILIP M. JELLEY, INC.
GERALD C. SMITH
LAWRENCE R. SHEPP
RICHARD T. WHITE
MICHAEL P. WALSH
J. BRITTAIN HABEGGER
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MICHAEL S. WARD

FITZGERALD, ABBOTT & BEARDSLEY

ATTORNEYS AT LAW

1221 BROADWAY, 21ST FLOOR
OAKLAND, CALIFORNIA 94612-1837

TELEPHONE: (510) 451-3300

R. M. FITZGERALD 1858-1934
CARL H. ABBOTT 1867-1933
CHARLES A. BEARDSLEY 1882-1963

PLEASE REPLY TO:

P. O. Box 12867
OAKLAND, CALIFORNIA 94604-2867

FACSIMILE: (510) 451-1527

December 14, 1995

COPY

Bay Area Diablo Petroleum
1000 Galaxy Way, Suite 308
Concord, California 94520

Attention: Gary Rowe

Re: 1987 UST Removal At 2528 Adeline Street, Oakland, CA

Dear Mr. Rowe:

We represent Ms. Shirley Howkins, the owner of the above-referenced site (the "Site"). We understand that in June of 1987, Bay Area Diablo Petroleum removed an underground storage tank from the Site. Ms. Howkins is now seeking to obtain Site closure from the Alameda County Health Care Services Agency, Environmental Protection ("ACHCSA").

The ACHCSA has requested the following concerning the underground storage tank removed from the Site in 1987: (1) all soil results and lab reports which relate to the removal of the tank; (2) documents or information revealing the location of the tank on the property; (3) documents of information revealing the age of the tank/date of installation of the tank; and (4) documents or information revealing the type of tank. Accordingly, please provide this documentation and/or information to me at your earliest convenience along with all other files and documents related to the Site.

Please confirm in writing whether your attempts to locate the documentation were successful, and if not, please indicate where you searched and whether you understand or believe that the documents may be located elsewhere or are in another party's possession.

Please feel free to call me with any questions you may have.
Thank you for your assistance.

Very truly yours,

FITZGERALD, ABBOTT & BEARDSLEY

By

Carlo C. Mormorunni

CCM:lm

cc: Shirley Howkins
Gerald C. Smith, Esq.
Robert F. Campbell, Esq.
Jennifer Eberly, Haz. Materials Specialist, ACHCSA

JAMES C. SOPER, INC.
PHILIP M. JELLEY, INC.
GERALD C. SMITH
LAWRENCE R. SHEPP
RICHARD T. WHITE
MICHAEL P. WALSH
J. BRITTAIN HABEGGER
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PLEASE REPLY TO:

P. O. Box 12867
OAKLAND, CALIFORNIA 94604-2867

FACSIMILE: (510) 451-1527

December 5, 1995

Ms. Jennifer Eberly
Alameda County Healthcare Services Agency,
Environmental Protection
1131 Harbor Bay Parkway
Alameda, California 94502

Re: 2528 Adeline Street, Oakland, CA 94607

Dear Ms. Eberly:

As we discussed in our November 15, 1995 telephone conversation, please find enclosed the 2528 Adeline Street soil and groundwater monitoring test results set forth in tabular format (attached hereto as **Exhibit "A"**).

At your request, I contacted Robert Vogel. Mr. Vogel indicated that his name appeared on the Leak Report because he was affiliated with EZ Est Products Company, a former tenant of the property. Mr. Vogel also indicated that he has no documents related to the 1987 Leak Report and that the company that removed the tank was subsequently purchased by Aervo Pacific, which was then located in San Leandro, California, and which has since relocated to Nevada. There is no listing for Aervo Pacific in the San Leandro area and we have not attempted to locate that company in Nevada.

With respect to site history, we understand that the property was purchased in 1937 by Ms. Howkins' father. Ms. Howkins believes that the existing structure was built on the site at approximately that same time and that the site was then leased to a sheet metal equipment and supply company. We understand that by 1952, a polish factory and warehouse occupied the site and that from approximately 1965 to 1987 EZ Est Products Company, a household polish manufacturer and distributor, leased the site. From January 1, 1989, through approximately mid-February, 1995, we understand that

ENCLOSURE
PRODUCTION
03 DEC -6 PM 10:27

Ms. Jennifer Eberly
Page 2

December 5, 1995

the site was occupied by Karl Estell Kustom Kars, an auto repair facility. The building currently is vacant.

Also, please find enclosed a site map dated August 4, 1988, (attached as **Exhibit "B"**), indicating the location of the second tank removed. We have been unable to locate a map that reveals the location of the first tank, although we believe it was located immediately adjacent to the depicted tank.

If you have any questions or comments, please do not hesitate to contact me directly.

Very truly yours,

FITZGERALD, ABBOTT & BEARDSLEY

By



Robert F. Campbell

RFC:ttj

Enclosures

cc: Ms. Shirley Howkins
Gerald C. Smith, Esq. (w/out encl.)
Carlo C. Mormorunni, Esq. (w/out encl.)

TO: Mr. Robert W. Vogel
4900 John Muir Rd.
Martinez, CA. 94553

April 22, 1987



GENERAL ENGINEERING
CONTRACTORS LIC. NO. 308351
3930 PACHECO BLVD.
MARTINEZ, CA 94553
(415) 228-2222

We propose to furnish labor and materials as follows:

550 Tank Removal

2528 Adeline St. Oakland

1. Pea gravel for backfill to subgrade; and concrete or asphalt to grade.
2. Labor for excavation; removing tank; backfilling; and restoring surface.
3. ~~Permits for Fire Marshal; and Health Department.~~
4. Soil samples from beneath tank.

Tank to be emptied by others.

5. DISPOSAL OF TANK

Per proposal 3690.00
Extra 285.00

This proposal is subject to conditions found on both sides of this agreement.
Our price is:

Three Thousand Six Hundred Ninety 00/100----- dollars (\$ 3,690.00)

Payment to be made as follows. On day work begins.

ACCEPTED. The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Respectfully submitted,
DIABLO PETROLEUM, INC.

By Richard H. Feby

Date of Acceptance 4/29/87

Note: This proposal may be withdrawn by us if not accepted within 10 days.

By Robert W. Vogel

Work will begin within 35 working days of acceptance subject to materials availability.

Title _____

CITY OF OAKLAND
REPORT OF FIRE INSPECTION

ENGINE CO.

ADDRESS 2528 Adeline Street

NAME Diablo Petroleum

GENERAL INSPECTION PERMIT OTHER HAZARD NOTED HAZARD ABATED

NOTICE LEFT LETTER 1st NOTICE 2nd NOTICE FINAL

DATE	VIOLATION	O.F.C.	CONTACTED
6-1-87	witnessed removal of 1 1000 gal solvent tank from underground. Two soil samples taken - results to be received upon test completion.		

Done: 6/2/87 (RM)

A REINSPECTION WILL BE MADE WITHIN _____ DAYS.

FIRE PREVENTION BUREAU - PHONE 233-3881

338-5 (Rev. 8-77)

INSPECTOR Gregory D. Bryant

LOG NO	SAMPLE DESCRIPTION, SOIL SAMPLES	DATE SAMPLED
06-022-1	#1 Under Suction End	01 JUN 87
06-022-2	#2 Under Fill End	01 JUN 87
PARAMETER	06-022-1	06-022-2
Benzene, Toluene, Xylene Isomers		
Benzene, mg/kg	3.6	11
Toluene, mg/kg	6.3	11
Total Xylene Isomers, mg/kg	<0.5	<0.5
Total Fuel Hydrocarbons, mg/kg	73	160

Alma Brock Fox
D. A. McLean, Laboratory Director

Robert Vogel
Copies to Ala Cty Health and Oakland June 6/22/87

MATERIAL SAFETY DATA SHEET

(Approved by U.S. Department of Labor "Essentially Similar" to Form 159-D)

PRODUCT NAME: SOLVENT GW 225

Rev. 1/17/86 PAGE 1

CHEMICAL NAME: N/A

CHEMICAL FAMILY: Hydrocarbon

FORMULA: Proprietary

MOLECULAR WEIGHT: 115

SYNONYMS: None

I. PHYSICAL DATA

BOILING POINT, 760 mm, Hg	201-239°F	FREEZING POINT	Unknown
SPECIFIC GRAVITY (H ₂ O = 1)	0.730 @ 15°C	VAPOR PRESSURE AT 20°C	55 mm Hg
VAPOR DENSITY (air = 1)	3.4	SOLUBILITY IN WATER, % by wt	Negligible
PER CENT VOLATILES BY VOLUME	100%	EVAPORATION RATE (Butyl Acetate = 1)	2.3
APPEARANCE AND ODOR	Clear, colorless liquid; hydrocarbon odor.		

II. HAZARDOUS INGREDIENTS

MATERIAL	%	TLV (Units)
Paraffin Hydrocarbon (CAS #8002-74-2)		150 ppm
Toluene (CAS #108-88-3)		100 ppm

III. FIRE AND EXPLOSION HAZARD DATA

Flash Point (°F)	150°F TCC	AUTOIGNITION TEMPERATURE (°F)	540°F
FLAMMABLE LIMITS IN AIR, % by volume	LOWER	1.0%	UPPER 6.0%

EXTINGUISHING MEDIA

Carbon dioxide, foam, dry chemical, water spray.

SPECIAL FIRE FIGHTING PROCEDURES

Self-contained breathing apparatus for confined spaces.

UNUSUAL FIRE AND EXPLOSION HAZARDS

Vapor is highly flammable and may accumulate in confined spaces.

EMERGENCY PHONE NUMBER

1-800-424-9300
CHEMTREC

While Great Western Chemical Co. believes that the data contained herein are factual and the opinions expressed are those of qualified experts regarding results of the tests conducted, the data are not to be taken as a warranty or representation for which Great Western Chemical Co. assumes legal responsibility. They are offered solely for your consideration, investigation, and verification. Any use of these data and information must be determined by the user to be in accordance with applicable Federal, State, and local laws and regulations.

GREAT WESTERN CHEMICAL CO. • 808 S.W. 15th AVENUE • PORTLAND, OREGON 97205

IV. HEALTH HAZARD DATA

THRESHOLD LIMIT VALUE	375 ppm for 8-hour exposure (suggested).
EFFECTS OF OVEREXPOSURE	Irritation to skin, eyes, and mucous membranes; nausea, dizziness upon inhalation; harmful or fatal if swallowed.
EMERGENCY AND FIRST AID PROCEDURES	EYES: Flush with water for 15 minutes. Seek medical attention if irritation persists. SKIN: Wash with soap and water. Remove and launder contaminated clothing. INGESTION: DO NOT INDUCE VOMITING. Seek medical attention. INHALATION: Move to fresh air. Perform artificial respiration if necessary.

V. REACTIVITY DATA

STABILITY		CONDITIONS TO AVOID	Extreme heat, sources of ignition.
UNSTABLE	STABLE		
INCOMPATIBILITY (materials to avoid)		Strong oxidizing materials.	
HAZARDOUS DECOMPOSITION PRODUCTS		Carbon dioxide, carbon monoxide.	
HAZARDOUS POLYMERIZATION		CONDITIONS TO AVOID	None
May Occur	Will not Occur		
	X		

VI. SPILL OR LEAK PROCEDURES

STEPS TO BE TAKEN IF MATERIAL IS RELEASED OR SPILLED	Contain spill and prevent from entering sewer. Extinguish all sources of ignition. Absorb and recontainerize.
WASTE DISPOSAL METHOD	Dispose of absorbent in a licensed hazardous waste landfill.

VII. SPECIAL PROTECTION INFORMATION

RESPIRATORY PROTECTION (specify type)	Organic vapor cartridge on respirator.		
VENTILATION	LOCAL EXHAUST		SPECIAL
	MECHANICAL (general)	Preferred	OTHER
PROTECTIVE GLOVES	Rubber or synthetic	EYE PROTECTION	Goggles
OTHER PROTECTIVE EQUIPMENT	Apron, boots, eyewash, safety shower		

VIII. SPECIAL PRECAUTIONS

PRECAUTIONARY LABELING	Keep out of reach of children. For industrial use only. Flammable. Wear gloves and goggles when handling. Do not use near sources of ignition. Use only in well-ventilated area.
OTHER HANDLING AND STORAGE CONDITIONS	Store in a cool, dry area, away from sources of ignition. Vent slowly to relieve pressure.

DATE: month 8 date 28, 1992

TO : Local Oversight Program

FROM: Don Hyang

SUBJ: Transfer of Eligible Oversight Case

Site name: Aerove Pacific
Address: 2528 Adeline city Oakland zip 94607

Closure plan attached? Y N DepRef remaining \$ _____

DepRef Project # _____ STID #(if any) _____

Number of Tanks: 4 removed? Y N Date of removal 8/4/88

Leak Report filed? Y N Date of Discovery _____

Samples received? Y N Contamination: Soil Groundwater
only received samples for TPH-D which were < 10 ppm
Petroleum Y N Types: Avgas Jet leaded unleaded Diesel
fuel oil waste oil kerosene solvents

Monitoring wells on site _____ Monitoring schedule? Y N

LUFT category 1 2 3 * H S C A R W G O

Briefly describe the following:

Preliminary Assessment _____

Remedial Action _____

Post Remedial Action Monitoring _____

Enforcement Action _____

1) closure ~~plan~~ plan only specified 2 kerosene - 8015? did not use lab specified in closure plan, 3) method 8015 is for
2) no insp report

Printed: 11/22/95

***** Alameda County Department of Environmental Health *****
Deposit/Refund Account History

** PROJECT INFORMATION **

Project#: ---250A Date Open: 07/25/88 Date Closed:

Payor Information:

Site Information:

Toxic Industrial Env. Svc
30028 Industrial Pkwy.
Hayward CA 94544

Acrove Pacific
2528 Adeline St.
Oakland CA 94607

Site ID 266

** DEPOSIT HISTORY **

Deposit Date	Receipt#	Amount Received
-----	-----	-----
07/25/88	524550	300.00

		300.00

** WORKLOG HISTORY **

Work Date	Activity Description / Time Spent (hrs)	Amount Charged
-----	-----	-----
08/01/88	plan review @\$53/hr 1.	53.00
08/01/88	plan review @\$53/hr 0.25	13.25
11/19/90	File Review 0.5	30.00
08/28/92	File Review 0.5	35.50

		131.75

Balance:

168.25

Amount Refunded:

- 36.00

8. Contact Person for Investigation

Name ROY ECKMAN Title PROJECT MANAGER

Phone 471-2100

9. Total No. of Tanks at facility ONE

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

11. State Registered Hazardous Waste Transporters/Facilities

a) Product/Waste Tranporter

Name DILLARD TRUCKING EPA I.D. No. CAD 981 192 809

Address 30028 INDUSTRIAL PARKWAY S. W.

City HAYWARD State CA. Zip 94544

b) Rinsate Transporter

Name REFINERY SERVICE EPA I.D. No. CAD 083 166 728

Address 13331 NORTH HWY - 33 - P. O. BOX 1171

City PATTERSON State CA. Zip 95363

c) Tank Transporter

Name DILLARD TRUCKING EPA I.D. No. CAD 981 192 809

Address 30028 INDUSTRIAL PARKWAY S. W.

City HAYWARD State CA. Zip 94544

d) Contaminated Soil Transporter

Name DILLARD TRUCKING EPA I.D. No. CAD 981 192 809

Address 30028 INDUSTRIAL PARKWAY S. W.

City HAYWARD, State CA. Zip 94544

12. Sample Collector

Name ROY ECKMAN

Company TOXIC INDUSTRIAL ENVIRONMENTAL SERVICES, INC.

Address 30028 INDUSTRIAL PARKWAY S. W.

City HAYWARD, State CA. Zip 94544 Phone 471-2100

13. Sampling Information for each tank or area

Tank or Area		Material sampled	Location & Depth
Capacity	Historic Contents (past 5 years)		
1,000 GALLON	KEROSENE	SOIL	6" FROM EACH END OF TANK

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

If yes, describe. _____

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

If yes, describe. DRY ICE CARBON MONOXIDE *NOXIDE*

16. Laboratories

Name EUREKA LAB
 Address 3401 LA GRANDE AVENUE
 City SACRAMENTO State CA. Zip 95823
 State Certification No. 108

17. Chemical Methods to be used for Analyzing Samples

Contaminant Sought	EPA, DHS, or Other Sample Preparation Method Number	EPA, DHS, or Other Analysis Number
KEROSENE	EPA 8015 LDL 10PPM	See attached

18. Site Safety Plan submitted? Yes No

19. Workman's Compensation: Yes No

Copy of Certificate enclosed? Yes No

Name of Insurer SAN FRANCISCO AGENCIES

20. Plot Plan submitted? Yes No

21. Deposit enclosed? Yes No

22. Please forward to this office the following information within 60 days after receipt of sample results.

- a) Chain of Custody Sheets
- b) Original Signed Laboratory Reports
- c) TSD to Generator copies of wastes shipped and received
- d) Attachment A summarizing laboratory results

I declare that to the best of my knowledge and belief the statements and information provided above are correct and true. I understand that information in addition to that provided above may be needed in order to obtain an approval from the Department of Environmental Health and that no work is to begin on this project until this plan is approved.

I understand that any changes in design, materials or equipment will void this plan if prior approval is not obtained.

I will notify the Department of Environmental Health at least two (2) working days (48 hours) in advance to schedule any required inspections. I understand that site and worker safety are solely the responsibility of the property owner or his agent and that this responsibility is not shared nor assumed by the County of Alameda.

Signature of Contractor

Name (please type) TOXIC INDUSTRIAL ENVIRONMENTAL SERVICES, INC.

Signature *[Handwritten Signature]*

Date 7-20-88

Signature of Site Owner or Operator

Name (please type) RICH ZOUCHA

Signature *Rich Zoucha*

Date 7-20-88

NOTES:

1. Any changes in this document must be approved by this Department.
2. Any leaks discovered must be submitted to this office on an underground storage tank unauthorized leak/contamination site report form within 5 days of its discovery.
3. Three (3) copies of this plan must be submitted to this Department. One copy must be at the construction site at all times.
4. A copy of your approved plan must be sent to the landowner.

UNDERGROUND TANK CLOSURE/MODIFICATION PLANS

ATTACHMENT A
SAMPLING RESULTS

Tank or Area	Contaminant	Location & Depth	Results (specify units)
1,000 GALLON	KEROSENE		

INSTRUCTIONS

2. SITE ADDRESS

Address at which closure or modification is taking place.

5. EPA I.D. NO.

This number may be obtained from the State Department of Health Services, 916/324-1781.

6. CONTRACTOR

Prime contractor for the project.

7. OTHER

List professional consultants here.

12. SAMPLE COLLECTOR

Persons who are collecting samples.

13. SAMPLING INFORMATION

Historic contents - the principal product(s) used in the last 5 years.

Material sampled - i.e., water, oil, sludge, soil, etc.

16. LABORATORIES

Laboratories used for chemical and geotechnical analyses.

17. CHEMICAL METHODS:

All sample collection methods and analyses should conform to EPA or DHS methods.

Contaminant - Specify the chemical to be analyzed.

Sample Preparation Method Number - The means used to prepare the sample prior to analyses - i.e., digestion techniques, solvent extraction, etc. Specify number of method and reference if not an EPA or DHS method.

Analysis Method Number - The means used to analyze the sample - i.e., GC, GC-MS, AA, etc. Specify number of method and reference if not a DHS or EPA method.

NOTE:

Method Numbers are available from certified laboratories.

18. SITE SAFETY PLAN

A plan outlining protective equipment and additional specialized personnel in the event that significant amount of hazardous materials are found. The plan should consider the availability of respirators, respirator cartridges, self-contained breathing apparatus (SCBA) and industrial hygienists.

19. ATTACH COPY OF WORKMAN'S COMPENSATION

20. PLOT PLAN

The plan should consists of a scaled view of the facility at which the tank(s) are located and should include the following information:

- a) Scale
- b) North Arrow
- c) Property Line
- d) Location of all Structures
- e) Location of all relevant existing equipment including tanks and piping to be removed
- f) Streets
- g) Underground conduits, sewers, water lines, utilities
- h) Existing wells (drinking, monitoring, etc.)
- i) Depth to ground water
- j) All existing tanks in addition to the ones being pulled

TIES

TOXIC INDUSTRIAL ENVIRONMENTAL SERVICES, INC.

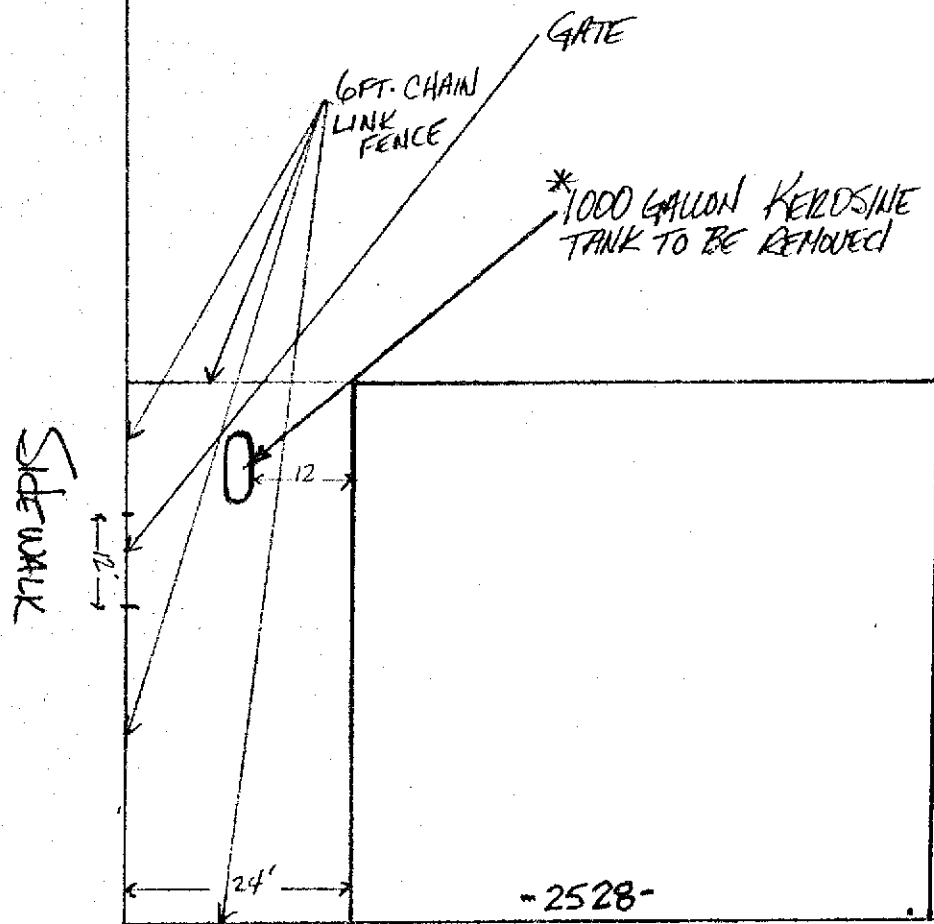
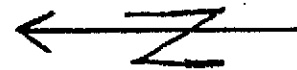
30028 INDUSTRIAL PKWY. S W
HAYWARD, CALIFORNIA 94544
(800) 227-1134 (415) 471-2100
FAX (415) 472-2447

3650 N W YEON AVENUE
PORTLAND, OREGON 97210
(800) 634-8499 (503) 228-3969
FAX (503) 228-6807

PROCEDURES FOR TANK REMOVAL

- * ARRIVE AT LOCATION
- * CONDUCT SAFTY MEETING WITH SITE PERSONNEL AFTER SURVEY OF AREA
- * SECURE AREA AS A NO SMOKING AREA (MINIMUM OF 25 FEET RADIUS FROM ANY INGNITION SOURCES)
- * DRAIN AND FLUSH THE PIPING INTO THE TANK
- * REMOVE ALL FLAMMABLE LIQUID FROM THE TANK THAT CAN BE PUMPED OUT. A HAND PUMP MAY BE NEEDED TO REMOVE THE BOTTOM FEW INCHES OF PRODUCT. (GROUNDING BOTH TANK AND TRUCK TO COMMON GROUND)
- * VACJUM TANK EXHAUST IS LOCATED AT LEAST 25 FEET FROM IGNITION SOURCE
- * EXCAVATE DOWN TO THE TOP OF THE TANK
- * REMOVE THE FILL TUBE; DISCONNECTING THE FILL GAUGE; PRODUCT, AND VENT LINES; CAPPING OR PLUGGING OPEN ENDS OF LINES THAT ARE NOT TO BE USED FUTHER.
- * PLUG ALL TANK OPENINGS AND COMPLETE THE EXCAVATION
- * TO REMOVE VAPORS AND INERT THE TANK ADD SOLID CARBON DIOXIDE (DRY ICE) IN THE AMOUNT OF 2 POUNDS PER 100 GALS OF TANK CAPACITY, THE DRY ICE SHOULD BE CRUSHED AND DISTRIBUTED EVENLY OVER THE GREATEST POSSIBLE AREA TO SECURE RAPID EVAPORATION.
- * AS THE DRY ICE VAPORIZES, TANK VAPORS WILL FLOW OUT OF THE TANK AND MAY SURROUND THE AREA. HENCE, ALL SAFTY PRECAUTIONS REGARDING FLAMMABLE, HAZARDOUS, OR TOXIC VAPORS SHOULD BE OBSERVED.
- * AFTER SECURING THE TANK ON A REGISTERED HAZARDS WASTE TRANSPORTER FOR TRANSPORTATION TO THE DISPOSAL SITE, A 1/8 INCH VENT HOLE IS LOCATED AT THE UPPER MOST POINT ON THE TANK
- * THE TANK MUST BE TRANSPORTED UNDER A HAZARDOUS WASTE MANIFEST COMPLETE WITH EPA ID# AND PROPER GENERATOR INFORMATION

Plot Plan 2528 Adeline, Oakland CA.



GROUND WATER 8' TO 10'
SUB SURFACE GL.

SIDEWALK

ADELINE STREET



June 19, 1987

Mr. Robert Vogel
4900 John Muir Rd.
Martinez, CA. 94553

Dear Mr. Vogel:

We have been advised by the Brown & Caldwell Laboratory that one of the soil samples from beneath the tank we removed for you at 5th and Adeline in Oakland, had a Total Hydrocarbons content of 160 Mg/Kg.

This is an "action number" by definition of the Health Department and State Water Quality Control Board. They require that a test well be placed in the hole so that monitoring can be done in the future.

We can do that for you if you wish. Labor and material to install a 4" well will be \$285.00, as long as we do it conjunction with the remaining work.

Very truly yours,

A handwritten signature in cursive script that reads "Richard Fahey".

Richard Fahey

9P

3930 Pacheco Boulevard • Martinez, California 94553

(415) 228-2222	(415) 634-3013	(707) 553-9127	(415) 449-4363	(415) 490-7704
Martinez	Brentwood	Vallejo	Livermore	Fremont

JUN 22 1987

OFFICE



BROWN AND CALDWELL LABORATORIES

ANALYTICAL REPORT

1255 POWELL STREET EMERYVILLE, CA 94608 • (415) 428-2300

LOG NO: E87-06-022

Received: 01 JUN 87
Reported: 19 JUN 87

Mr. Richard Fahey
Diablo Petroleum Inc.
3930 Pacheco Boulevard
Martinez, California 94553

Project: 87276

REPORT OF ANALYTICAL RESULTS

Page 1

LOG NO	SAMPLE DESCRIPTION, SOIL SAMPLES	DATE SAMPLED	
06-022-1	#1 Under Suction End	01 JUN 87	
06-022-2	#2 Under Fill End	01 JUN 87	
PARAMETER		06-022-1	06-022-2
Benzene, Toluene, Xylene Isomers		3.6	11
Benzene, mg/kg		6.3	11
Toluene, mg/kg		<0.5	<0.5
Total Xylene Isomers, mg/kg		73	160
Total Fuel Hydrocarbons, mg/kg			

D. A. McLean
D. A. McLean, Laboratory Director

Robert Vogel
Copies to Ala Cty Health and Oakland Fire 6/22/87

Excavation Permit Granted

No.

CITY OF OAKLAND

Permit No.

Permit to Excavate and Install, Repair, or Remove Inflammable Liquid Tanks

No. 8993

Oakland, California

DATE 2, 1987

PERMISSION IS HEREBY GRANTED TO

REMOVE

Gasoline tank and appurtenant

feet inside property

on the side of

Street Avenue feet of

Street Avenue

House No. 2528 Adeline Street

Street Avenue Present Storage

Robert W. Vogel

Address 4900 John Muir Rd. Martinez

Phone 228-2507

Applicant Diablo Petroleum Inc.

Address 3930 Pacheco Blvd. Martinez 94551

Phone 228-2222

Dimensions of street (sidewalk) surface to be disturbed

X

Number of Tanks 1

Capacity

550

Gallons, each

Remarks:

This Permit is granted in accordance with existing City Ordinances.

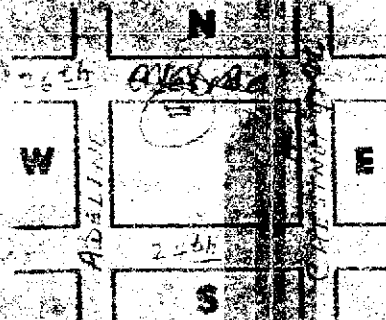
Owner hereby agrees to remove tanks on discontinuance of use or when notified by the City Authorities. When installing, removing or repairing tanks, no open flames to be on or near premises.

Approved

Fire Marshal

Approved

Drainage Division Engineering Dept.



EXCAVATING PERMIT

Issued in accordance with Ord. No. 378 CMS, Sec. 6-2.04

square feet of digging, etc. removal granted.

The receipt of \$ special deposit is hereby acknowledged.

GENERAL DEPOSIT.

BUREAU OF PERMITS AND LICENSES.

CERTIFICATE OF TANK AND EQUIPMENT INSPECTION

Inspected and passed on

By

Fire Marshal

Inspection Fee Paid

\$ 50.00

ck# 45458 rec# 117645

NOTICE

Before Covering Tanks, Above Certificate Must Be Signed.

Received by Johnson

FIRE PREVENTION BUREAU

When ready for inspection, notify Fire Prevention Bureau, 278-3451

THIS PERMIT MUST BE LEFT ON THE WORK AS AUTHORITY THEREFOR.

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY



CARL N. LESTER, Agency Director

470-27th Street, Third Floor
Oakland, California 94612
(415) 874-7237

HAZARDOUS WASTE GENERATOR
INSPECTION AND COMPLIANCE REPORT

PA I.D. # _____

DATE 6-10-86

GENERATOR NAME/ADDRESS _____

CONTACT PERSON Robert Vogel

E2 Est. Products Co.

PHONE NUMBER 836-3980

2528 Adeline St.

PERSONS PRESENT Robert Vogel

Oakland 94607

WASTE GENERATION RATE (MONTHLY) _____

OBSERVATIONS: 1/1 Dichloroethane, butyl cellosolve, cresols, methyl salicylate, acetic acid, aqua ammonia, phosphate acid, ferric ammonium oxalate, ammonium oxalate, caustic soda, pale oil, alkyl benzene sulfonic acid, sulfuric acid, all chemicals used in formulation of cleaners, and cleaning products. Waste rinse water is allowed to go down sewer.

Samples Taken¹: Yes No Plan of correction necessary: Yes Due Date _____ No

Authorized Representative of Firm:

Authorized Representative of Alameda County:

Name Robert Vogel

Name Thomas Peacock

Title Owner

Phone Number 874-7237

Signature Robert Vogel

Signature Thomas Peacock

Date 6-10-86

Date 6-10-86

¹All samples will be taken in accordance with Section 25185, California Administrative Code, Division 20, Chapter 6.5

FACILITY NAME E2 Est Products Co No

1051 S

SECTION #	CAC ²	40 CFR ³	GENERATOR INSPECTION CHECKLIST			In Compliance?		
			Yes	No	N/A	Yes	No	N/A
<u>HAZARDOUS WASTE DETERMINATION</u>								
5123 3	66505 (a,b)	262 .11	Hazardous waste determination made for all waste			<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>HAZARDOUS WASTE FACILITY</u>								
5123 3	66370	262.34 (a)(1)	Generator <u>does not</u> store waste on-site for more than 90 days			<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	66370		Generator <u>does not</u> treat waste on-site			<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	66370		Generator <u>does not</u> dispose of waste on-site			<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>MANIFEST</u>								
	66476	262 .20	Applicable sections accurately completed for all waste transported off-site			<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	66476 (a-f)	262 .21&.23	The following is on all manifests:					
			Manifest document number			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			Name, mailing address, phone #, EPA ID # of Generator			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			Name, EPA ID # of Transporter(s)			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			Name, address, EPA ID # of designated/alternative facility			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			DOT description of waste(s)			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			Total quantity of waste(s) and type/# containers			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			Certification statement/Required signatures			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			Properly completed copies submitted monthly to DOHS			<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>DEPOSITION OF WASTE</u>								
	66505 (c)		Hazardous waste taken only to a State approved facility			<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>EXTREMELY HAZARDOUS WASTE</u>								
	66570 (a,b)		Extremely hazardous waste not handled/disposed of without permit			<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	66570 (d)		No deviation from DOHS approved handling/disposal methods			<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>USE AND MANAGEMENT OF CONTAINERS</u>								
	66500 (c)	265 .172	Containers are compatible with waste in them			<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SECTION #	CAC ²	40 CFR ³	In Compliance?					
			Yes	No	N/A			
-2-								
5123 3	66500 (a)	265 .176	Contact/mixing of incompatibles does not occur			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	66500 (b)	265 .176	Incompatibles are stored/protected in separate containers			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>TANKS</u>								
	66500 (b)	265 .199	Incompatibles are stored/protected in separate tanks			<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>ACCUMULATION TIME</u>								
25123 .3	262.34 (a)(1)		All waste moved off-site within 90 days of accumulation commencement to approved facility			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>RECORDKEEPING AND REPORTING</u>								
25342			Submittal of Annual Report to Board of Equilization			<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>UNDERGROUND TANKS INFORMATIONAL SURVEY</u>								
Does generator have underground tanks containing:								
Hazardous materials?						<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Hazardous waste?						<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does generator have leak detection system for underground tanks?						<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

KEY TO GENERATOR INSPECTION CHECKLIST

- ¹H&S - Health and Safety Code, Division 20, Chapter 6.5
- ²CAC - California Administrative Code, Title 22, Division 4, Chapter 30
- ³40 CFR - Code of Federal Regulations, Part 40

Inspection date: 6-10-86

Inspector Time Spent: _____

SECTION C
HAZARDOUS SUBSTANCES

1. Please check if any of the following categories of hazardous substances is used or handled by your firm:

TOXIC	<input checked="" type="checkbox"/>	CORROSIVE	<input checked="" type="checkbox"/>
FLAMMABLE OR IGNITABLE	<input checked="" type="checkbox"/>	REACTIVE	<input checked="" type="checkbox"/>

C2. Please check the attached list for any of the chemical substances you receive, store, mix, treat, formulate, generate, manufacture, transport or dispose of, and enter each by the number identified on the list in the spaces below:

Sample:

11311	31916	21612	17143	61717	51911	10134	61812
523	17105	8134	8143	3811	3132		

CERTIFICATION

I hereby certify that the information on this form is to the best of my knowledge, true and complete

Irma Vogel
Signature

Irma Vogel
Typed or Printed Name

Office Manager
Title

8-26-85
Date

Please return completed form to:

Alameda County Division of Environmental Health
470-27th Street, Room 322
Oakland, CA 94612
(415) 874-7237