



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

September 26, 2000  
StID # 3936

Mr. Richard Merlino  
1001 83<sup>rd</sup> Ave.  
Oakland CA 94621

**SUBJECT: INTENT TO MAKE A DETERMINATION THAT NO FURTHER ACTION IS REQUIRED  
OR ISSUE A CLOSURE LETTER FOR 968/976 81<sup>st</sup> AVE., OAKLAND CA 94621**

Dear Mr. Merlino:

This letter is to inform you that Alameda County Environmental Protection (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. Please be aware that 968 and 976 81<sup>st</sup> Ave. have been used interchangeably in referring to this property.

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. You may use the enclosed Example letter #3 as a guide. Please provide this certification to this office within 20 days of the date of this letter.

If you have any questions about this, please contact me at (510) 567-6765.

Sincerely,

A handwritten signature in black ink that reads "Barney M. Chan".

Barney M. Chan  
Hazardous Materials Specialist

Enclosure (sample letter #3)

c: B.Chan, files

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

Alameda County Environmental Health  
1131 Harbor Bay Parkway  
Alameda, CA 94502-6577

**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

sample3

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



sent 7/27/00  
DU

20714

July 27, 2000  
StID # 3936

Mr. Richard Merlino  
Alita Brand  
1001 83<sup>rd</sup> Ave.  
Oakland CA 94621

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

**Re: Underground Tank Investigation at 976 81<sup>st</sup> Ave., Oakland CA 94621**

Dear Mr. Merlino:

Our office last wrote to you on November 9, 1998 in my letter, which requested an additional groundwater investigation to follow-up the underground tank removals performed in August 1996. At that time, our office recommended that a number of borings be advanced around the former tank pit and be sampled for petroleum contaminants (gasoline, diesel and BTEX).

Our office has recognized that the site may be a "lower priority site" and also acknowledges your financial difficulties and therefore, has intentionally not reminded you of this request. Since this time, there has been a greater understanding of the fate of petroleum hydrocarbons in soil and groundwater. There has also been a greater understanding of the toxicity and health risk associated with these compounds. Therefore, at this time, our office has reviewed your site again and we find that there may not be a need to perform additional subsurface investigation. However, to complete your site investigation, you are requested to perform a sensitive receptor survey. This survey should determine if there are any sensitive receptors ie irrigation, industrial or water wells, surface water bodies, or conduits or utilities which could lead to sensitive receptors, within a 500' radius of your site.

Please contact a reputable consultant to perform this work. In the event that you do not have this information readily available, I have enclosed a brief list of consultant for your benefit. You may select from these or contact any others. **Please submit your sensitive receptor survey to our office within 45 days or no later than September 7, 2000.**

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

Survey976 81stAve

sent 7/27/00

Below is a list of consultants who I have worked with, within the past year. This is not an endorsement nor is it a complete list. You are encouraged to look in the phone book under environmental consultants, environmental engineers, consultants, environmental remediation etc. Another source is the references from individuals who have had similar work done and were satisfied. You are recommended to obtain several bids and compare costs before making a decision.

1. Aqua Science Engineers, (925) 820-9391
2. Blymyer Engineers, (510) 521-3773
3. Subsurface Consultants, (510) 268-0461
4. Artesian Environmental, (415) 257-4801
5. Levine-Fricke, (510) 652-4500
6. Geraghty and Miller (510) 233-3200
7. Weiss Associates, (510) 547-5420
8. Hydroenvironmental Technologies, (510) 521-2684
9. CH2MHILL (510) 251-2426
10. Harding Lawson (415) 543-8422
11. Baseline Environmental (510) 420-8686
12. EMCON, (408) 453-7300
13. Woodward Clyde Consultants, (510) 893-3600
14. Secor, (415) 882-1548
15. PES Environmental, (415) 899-1600
16. ACC Environmental, (510) 522-8188
17. Kleinfelder, (510) 244-6600
18. Kennedy-Jenks, (415) 243-2150
19. Geomatrix (415) 434-9400
20. Clayton Environmental, (925) 426-2600

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



RO# 714

November 9, 1998  
StID # 3936

Mr. Richard Merlino  
Alita Brand  
1001 83<sup>rd</sup> Ave.  
Oakland CA 94621

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

Re: Request for Groundwater Investigation at <sup>968 -</sup>976 81<sup>st</sup> Ave., Oakland CA 94621

Dear Mr. Merlino:

After the removal of the two underground storage tanks at this site in August 1996, our office informed you of the need to further investigate the extent of the diesel and gasoline release in groundwater. I wrote you in my January 30, 1997 letter which conditionally approved the January 21, 1997 Tank Protect Engineering work plan for the advancement of up to five (5) borings at the above site. Certain modifications to the work plan were suggested to minimize your expenses. To date, our office is not aware that the proposed work has been performed.

I would like to again make some constructive suggestions to the initial work plan with the intent of obtaining enough information to determine if the site can be closed as a "low risk" site. Because of the general presence of microbes in soil and groundwater, residual petroleum contamination has likely diminished since the tank removal. However, prior to closing the site, you must determine the extent of contamination in groundwater and verify that any residual contamination does not pose a risk to human health or the environment.

This can be done with a minimum of three (3) temporary borings using a mobile drill rig mounted on a truck. This work can be done quickly and fairly economically. As previously mentioned in my January 30, 1997 letter, you may omit the analysis of the compound, MTBE. In addition, soil samples may be screened and analyzed only if significantly contaminated ie soils samples may not need to be analyzed. Grab groundwater samples should be taken from each borehole and analyzed for Total Petroleum Hydrocarbons as gasoline, as diesel and BTEX (benzene, toluene, ethyl benzene and xylenes). Please have your consultant modify the prior work plan to incorporate these suggestions and submit the work plan to our office within 30 days or by December 8, 1998.

Our office again urges you to seek reimbursement for your remediation costs by applying to the Cleanup Fund. You may contact their office by calling 1-800-813-3863. You may want to contact your consultant to help you complete your application. You may contact me at (510) 567-6765 if you have any questions.

Sincerely,

Barney M. Chan, Hazardous Materials Specialist

C: B. Chan, files

J. Farhoomand, TPE, 2821 Whipple Rd., Union City, CA 94587-8088 2wprq976

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



20714

January 30, 1997  
StID # ~~3926~~ 3936

Mr. Richard Merlino  
Alita Brand  
1001 83rd Ave.  
Oakland CA 94621

**Re: Subsurface Investigation at Alita Brand, 976 81st Ave.,  
Oakland CA 94621**

Dear Mr. Merlino:

Thank you for the submission of the January 21, 1997 Tank Protect Engineering Workplan for Soil Boring Investigation. Our office has completed its review of this report and conditionally approves this work plan for soil borings and groundwater investigation with the following comments/requirements:

1. You may omit the analysis of MTBE in all samples. This comment is based upon non-detectable concentrations of MTBE in prior soil and grab groundwater samples.
2. Soil samples within each boring will be screened using a hydrocarbon vapor tester (HVT). Should the results of the screening be non-detectable for all vadose soil samples within a boring, you may forego soil analysis for this boring.
3. Please contact me 72 working hours prior to your field work so I may arrange to be present, if possible.

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

Sincerely,

Barney M. Chan  
Hazardous Materials Specialist

c: B. Chan, files  
Mr. L. Huckins, TPE, 2821 Whipple Rd., Union City, CA 94587  
wpap976

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

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



RO#714

November 22, 1996  
StID # 3936

Mr. Richard Merlino  
Alita Brand  
1001 83rd Ave.  
Oakland CA 94621

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

Re: **Subsurface Investigation at Alita Brand, 976 81st Ave.,  
Oakland CA 94621**

Dear Mr. Merlino:

Thank you for the submission of the November 8, 1996 TPE Tank Closure Report for the removal of the two underground tanks from the above referenced site. Our office has completed its review of this report. It appears, based on the analytical results, that soil contamination is not severe, however, groundwater has been impacted. In order to determine if this site can be closed as a "low risk" groundwater case, you must adequately characterize the site. In order to do this, our office recommends the installation of temporary borings around the tank pit via a rapid site assessment tool eg Geoprobe, hydropunch, CPT etc. and the sampling of soil and groundwater samples. Should the results of this type of investigation define the extent of release and no risk to human health exist, site closure will be recommended to the Water Board.

Therefore, our office requests that you submit a work plan for additional site assessment. Please submit this work plan **within 45 days or by January 3, 1997.**

You should also be aware that the Underground Storage Tank Cleanup Fund exists to help tank owners and responsible parties finance the investigation and cleanup of petroleum contaminated sites. Enclosed please find an information sheet about the Fund.

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. L. Huckins, TPE, 2821 Whipple Rd., Union City, CA 94587  
wp976

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



# 968-976 81st.

RO# 714

November 15, 1996  
StID # 3936

Mr. Richard Merlino  
Alita Brand  
1001 83rd Ave.  
Oakland CA 94621

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

**NOTICE OF VIOLATION**

**Re: Request for Tank Closure Report for 976 81st Ave., Oakland  
CA 94621**

Dear Mr. Merlino:

Our office last wrote to you on October 3, 1996. This is when I requested that you submit, by October 16, 1996, the underground tank closure report for the the two underground storage tanks (USTs) removed from this site on August 16, 1996. I have enclosed a copy of this letter for your reference.

Our office received the requested Unauthorized Leak Report (ULR) on October 11, 1996 from your consultant, Tank Protect Engineering (TPE).

Please submit the tank closure report for this site **within 30 days or by December 16, 1996**. You should also be aware that should a release of petroleum contamination be confirmed in this report, you will be required to perform a site investigation to determine the extent of the petroleum contamination in both soil and groundwater.

This is a formal request for technical reports pursuant to the Water Code and the Health and Safety Code. Failure to provide the requested report within the stated deadline may result in civil liability.

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. L. Huckins, TPE, 2821 Whipple Rd., Union City, CA 94587

NOV976



ALAMEDA COUNTY  
HEALTH CARE SERVICES



AGENCY  
DAVID J. KEARS, Agency Director

October 3, 1996  
StID # 3936

Mr. Richard Merlino  
Alita Brand  
1001 83rd Ave.  
Oakland CA 94621

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

Re: Tank Closure Report for 976 81st Ave., Oakland CA 94621

Dear Mr. Merlino:

This letter is to remind you that your tank closure report for the removal of the 1000 gallon diesel and 1000 gallon gasoline tanks from the above site should be submitted to our office within two weeks or by October 16, 1996.

This report should include:

1. The manifest for the two underground tanks;
2. All analytical results for soil and groundwater samples taken on 8/16 and 8/28/96;
3. A proposal for the disposal/remediation/or reuse of all excavated soils;
4. Receipts for the disposal of all groundwater pumped from the tank pit; and
5. Receipts for the disposal of oil and oil-contaminated absorbent pads.

In addition, enclosed please find an Unauthorized Leak Report (ULR). This form should be completed upon verification of an unauthorized release of petroleum hydrocarbon. It appears from visual observations that this has occurred at this site. Your analytical results may confirm this observation. If this is the case, please complete this form and return to our office along with your closure report.

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

Sincerely,

Barney M. Chan  
Hazardous Materials Specialist

enclosure

c: L. Travis, TPE, 2821 Whipple Rd., Union City, CA 94587  
B. Chan, files rep976

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R0714

March 28, 1991

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

⑥

Mr. Michael Katz  
Blymyer Engineers, Inc.  
1829 Clement Avenue,  
Alameda, CA 94501-1395

Re: Site Search for Properties Near 1001 81st Ave., Oakland

Dear Mr. Katz:

This letter is in response to your request for information regarding hazardous materials storage and hazardous materials releases at sites located near 1001 81st Ave., Oakland 94621. Specifically, you requested information at sites on 79th Avenue, 80th Avenue, 81st Avenue and Rudsdale. The information below provides that which is available from our agency only and is accurate to the best of our knowledge. Below lists all of the County's information on the sites requested which includes sites on 81st Avenue only.

(R01163) 810 81st Avenue- Mother's Cake and Cookies Co.- A diesel fuel tank has recently been installed at this site. Five underground tanks currently exist at this site, one gasoline, one diesel, two waste oil and one fuel oil. These underground tanks are currently scheduled for removal along with two hydraulic hoists. This company stores pesticides in a shed on the south side of the property. In this same area is the abandoned maintenance area and paint shop. They use sodium hydroxide to pretreat their effluent water. They have a solvent tank in their machine shop along with welding gas cylinders. Some small amounts of waste oil is generated at this site.

(R0557) 851 81st Avenue- Sunshine Biscuit- Recently a fuel oil and a gasoline underground tank were removed from this site. Contamination was discovered and a groundwater investigation is pending. Above ground diesel fuel tanks were installed prior to the tank removals.

(R01086) 860 81st Avenue- Well-Made Products- This company manufactures fluorescent lighting fixtures, sheet metal and wheelbarrows. In 1986 an inspection revealed violations including: improper labeling of containers, greater than 90 days of waste storage, lack of records for waste disposal, leakage of oils to the ground, improper storage and lack of a contingency plan. A written response to these violations was sent to our office. This inspection was in response to a DOHS request for a joint inspection. There are two underground tanks at this site, 1- 2000 gallon diesel and 1- 2000 gallon regular

Mr. Michael Katz  
Blymyer Engineers  
March 28, 1991  
Page 2

gasoline. This company stores oils, paints, solvents and lacquer thinner.

873 81st Avenue- Bay Area Crane Hoist is considered a generator of hazardous waste. The hazardous materials noted in a 1985 inspection include cleaning solvent, aluminum foundry waste and boiler cleaning waste.

880 81st Avenue- Ideal Garage. Property owner is New Educational Development Corporation. In 1986 approximately 40 drums of material was donated to the property owner by Synanon. This company generates waste oil and solvent. There are three underground tanks present, two were abandoned and one is in use to store waste oil.

(R0874) 910 81st Avenue- At this location several businesses have existed that have stored and generated hazardous material.

In 1985, Metalcraft Industries was located here, a tool and die shop. Cromin Marine Repair was also located here in 1985. Aluminum foundry waste was generated here at this time.

In 1986 , LCB Associates was located here. At this time an emergency response occurred which our agency responded to. Chemicals associated with drug manufacturing were found including flammable solvent and corrosives.

In 1989, Elmhurst Anodizing, a plating shop moved in but at the time of inspection it was not yet in operation. No follow-up inspection has occurred as of yet.

940 81st Avenue- This is the location of New Century Beverage Co.. Pepsi Cola Bottling Co. stores 2000 gallons of liquid caustic soda and liquid phosphoric acid here.

(R0875) 966 81st Avenue- E.M.A.C.- Electromechanical Assembly Co. Inc., was located here. This company has been out of business since mid-1990. The company performed plating and painting. A 1986 inspection noted several violations including improper labeling, inadequate determination of drum contents, accumulation of waste in treatment tanks and improper storage and storage beyond 90 days. These violations were corrected as of January 1987. Records indicate one 1000 gallon underground tank is present at this site. At the time of

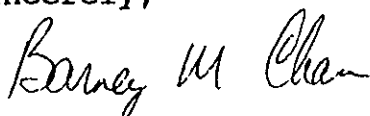
Mr. Michael Katz  
Blymyer Engineers, Inc.  
March 28, 1991  
Page 3

the closure of this business, another inspection was performed. Noted violations included a large number of suspected drums of hazardous waste held beyond 90 days. E.M.A.C. was instructed to submit a closure plan which accounts for the use or disposal of all hazardous materials. A similar request for closure plan was made by EBMUD. E.M.A.C. had a zero discharge permit issued by EBMUD. To this date proper closure of this facility has not been documented and the business is currently closed, fenced and out of operation.

(R0714) 976 81st Avenue- This is a vacant lot used for storage. Several buildings exist here, one used to house maintenance equipment. Two underground tanks are present which are empty and awaiting removal.

This is all the information that is available from this office regarding hazardous waste storage and release on the sites you've requested. Enclose please find a bill for the time spent to perform this site search. You may contact me at 271-4320 should you have any questions.

Sincerely,



Barney M. Chan  
Hazardous Materials Specialist

enclosure

cc: Edgar Howell, Chief, Hazardous Materials Division