

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



R0734

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

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

StId 855

August 17, 1992

Mr. Werner J. Nagengast  
920 Happy Valley Road  
Pleasanton, CA 94566

**Subject: Quarterly Water Monitoring Reports for 10222 Pearmain St.,  
Oakland, CA 94603**

Dear Mr. Nagengast:

This office has reviewed the file for the above referenced site. When an underground storage tank was removed in January 1990, soil sample analyses confirmed that an unauthorized release of petroleum products had occurred at the site. Subsequently, a ground water monitoring well was installed in June 1991 to determine if ground water was impacted. Quarterly monitoring reports were to follow.

To date we are not in receipt of any initial reports documenting the monitoring well installation and development process. Nor have we received any quarterly water monitoring and sampling reports since the well was installed.

Section 2652(d), Title 23, of the California Code of Regulation, requires the owner or operator to submit reports every three months or at a more frequent interval as specified by the local agency or regional board until investigation and cleanup are complete.

At this time, you are directed to submit to this office, **within 30 days** of the date of this letter, all reports documenting field work performed since and including June 1991. Copies of all reports should also be sent to Mr. Richard Hiatt of the San Francisco Regional Water Quality Control Board (RWQCB).

The referenced initial and quarterly reports must describe the status of the investigation and must include, among others, the following elements:

1. Details and results of all work performed during the designated period of time: records of field observations and data, boring and well construction logs, water level data, chain-of-custody forms, laboratory results for all samples collected and analyzed, etc.
2. Status of groundwater contamination characterization
3. The soil aeration process and final disposition of stockpile soil. Include laboratory analyses results, chain-of-custody

W. Nagengast  
10222 Pearmain St., Oak.  
August 17, 1992

Page 2

forms, and copies of manifests and/or bill of lading.

4. Recommendations or plans for additional investigative work or remediation.

All reports and proposals must be submitted under seal of a California Registered Geologist, Certified Engineering Geologist, or Registered Civil Engineer. Please include a statement of qualifications for each lead professional involved with this project.

**Please be advised that this is a formal request for technical reports pursuant to California Water Code Section 13267(b). Any extensions of the stated deadlines, or modifications of the required tasks, must be confirmed in writing by either this agency or the RWQCB.**

If you have any questions about the contents of this letter, please contact Ms. Eva Chu at (510) 271-4530.

Sincerely,



Scott O. Seery, CHMM  
Senior Hazardous Materials Specialist

cc: Richard Hiett, RWQCB  
Mark Thomson, Alameda County District Attorney's Office  
Edgar Howell/files

Melrose

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



R0734

May 29, 1991

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

Mr. Lacy Thomas P.E.  
Ecopro Consulting  
816 Southhampton Dr.  
Palo Alto, CA 94303

Re: Modified Workplan for Remediation at Melrose Metal Fabrication,  
10222 Pearmain St., Oakland 94603

Dear Mr. Thomas:

Alameda County Environmental Health has received your modified workplan for the above referenced site. To summarize, one monitoring well will be installed at the previously designated location. Soil samples from the monitoring well installation will be analyzed for TPH g and BTEX at every five foot interval and at every change in lithology. If these samples are less than any remedial action limits then no further excavation will be required. The County will then require quarterly groundwater sampling for a minimum of one year with non-detectable hydrocarbon and BTEX results before we can make any recommendation on the site.

Please contact me at 271-4320 should you have any questions.

Sincerely,

Barney M. Chan  
Hazardous Materials Specialist

cc: W. Nagengast, Melrose Metal Finishing, 10222 Pearmain St.  
Oakland CA 94603  
L. Feldman, RWQCB

10222Pearmain

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



R02834 (#10306 Pearmain)

R0734 (#10222 Pearmain)

April 18, 1991

Mr. Leonard Hill  
4026 Malcom Ave.  
Oakland CA 94605

Re: Underground Tank on Pippin St., Pearmain St. and Stone St.,  
Oakland, CA 94603

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

**SECOND NOTICE OF VIOLATION**

Dear Mr. Hill:

On our March 12, 1991 Notice of Violation to you, you were informed of your responsibilities and options regarding the underground tank located at the above street addresses. You were to send the completed forms to either register or remove the tank to our office within thirty days. To this date we have not received any forms from you and are unaware of your intentions.

You are again reminded that section 25299 of the California Health and Safety Code states that any operator or owner of an underground storage tank is liable for a civil penalty of not less than five hundred dollars or more than five thousand dollars per day for failure to obtain a permit, or failing to properly close an underground storage tank, as required by section 25298.

Please provide the requested forms to our office within ten (10) days.

You may contact the undersigned at 271-4320 should you have any questions.

Sincerely,

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

Barney M. Chan  
Hazardous Materials Specialist

cc: Gil Jensen, Alameda County District Attorney, Consumer and  
Environmental Protection Division  
John Vanox, P.O. Box 438, Windson CA 95492  
Edgar Howell, Chief, Hazardous Materials Division

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OR

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director

March 12, 1991

Mr. Leonard Hill  
4026 Malcom Ave.  
Oakland CA 94605

Re: Underground Tank on Pippin St., Pearmain St. and Stone St.,  
Oakland, CA 94603

NOTICE OF VIOLATION

Dear Mr. Hill:

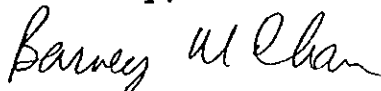
This letter serves to summarize our meeting at the above parcel located on the above street addresses on March 4, 1991. You were present to witness the sampling of the underground tank's contents. It was apparent that the tank still contained some gasoline and as such must either be registered and permitted or removed. You were given both forms to perform either of these items. You stated that you would likely register the underground tank. You would then receive a six month interim permit for the operation of the tank after payment of your underground tank bill. This six month period should be used to perform all the necessary requirements to allow the tank to be permitted unless you decide to remove the tank during this time. These requirements include performing a tank precision test, performing a line leak detection test if the tank has pressurized piping and selecting one of the approved methods for tank monitoring.

You were requested to send completed forms to our office within thirty (30) days of this meeting.

You are reminded that section 25299 of the California Health and Safety Code states that any operator or owner of an underground storage tank is liable for a civil penalty of not less than five hundred dollars or more than five thousand dollars per day for failure to obtain a permit, or failing to properly close an underground storage tank, as required by section 25298.

If you have any questions concerning this matter, please contact the undersigned at 271-4320.

Sincerely,



Barney M. Chan, Hazardous Materials Specialist

cc: Gil Jensen, Alameda County District Attorney, Consumer and  
Environmental Protection Agency

John Vanox, property owner

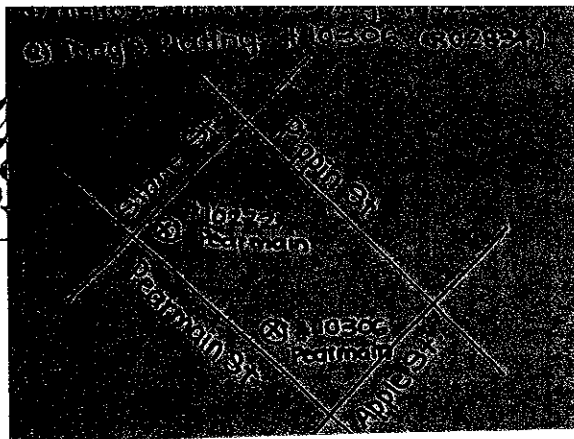
Edgar Howell, Chief, Hazardous Materials Division

✓R0734 (#10222)

R02834 (#10306)

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ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R0734

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

May 15, 1990

Mr. Lacy Thomas P.E.  
Ecopro Consulting  
816 Southhampton Dr.  
Palo Alto, CA 94303

RE: Workplan for UGT Removal at 10222 Pearmain St., Oakland 94603,  
Melrose Metal Fabrication

Dear Mr. Thomas:

This letter summarizes the items discussed on May 10, 1990, with Mr. Barney Chan, concerning your proposed work plan for Melrose Metal Fabrication.

1. ACEH must receive a copy of the Closure Report by the Environmental Construction Co. on this site before giving any approval of a work plan. Minimally, copies of the analytical report of the initial two soil samples is required.
2. It was suggested that segregating soil using an analytical instrument such as a Photovac HNu or a combustible gas meter would be preferable to actually smelling the soil.
3. To clarify your method of screening clean versus contaminated soil, a minimum of one discreet sample per 20 cubic yards should be analyzed for TPH-gasoline and BTEX (8020) to determine proper disposition of the spoils. The RWQCB has allowed soils of less than 10 ppm TPH to be put back into the pit. Soils between 10 and 100 ppm are regarded as "non-hazardous waste", and are normally disposed of at Class III landfills. Soils between 100 and 1000 ppm TPH are "designated waste" as defined under Section 2522, Subchapter 15 of the Water Code. These soils must be disposed of at a Class I or II landfill under manifest. Soils greater than 1000 ppm will be considered hazardous unless proven otherwise and will require disposal at a Class I facility.
4. It was agreed that two feet of soil should be removed from the entire pit as opposed to your initial proposal of half the pit.
5. Soil aeration was mentioned as a possible consideration to on-site remediation. Until permit approval has been received from BAAQMD, the soil should be covered with an impermeable sheet of plastic.
6. The county is agreeable to the installation of one monitoring well providing in your written response to this letter, you state, in your best professional judgment, the groundwater gradient has been established and that the monitoring well will be located within 10

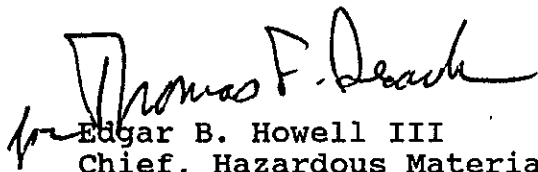
Melrose Metal Fabrication  
May 15, 1990  
Page 2

feet of the tank, in the verified downgradient direction. Quarterly monitoring reports should follow initial installation.

7. Once we have received the requested information and written confirmation of the items stated, your work plan may commence. Alameda County Environmental Health should be given 48 hours advance notice and be present for any sampling. ACEH should also be informed of any changes in your work plan

Please contact Barney Chan, Hazardous Materials Specialist, at (415)271-4320 if you have any questions.

Sincerely,



Edgar B. Howell III  
Chief, Hazardous Materials Division

EBH:bc:bc

cc: Rafat Shahid, Asst. Agency Director  
Gil Jensen, Alameda County District Attorney, Consumer and  
Environmental Protection Agency  
Mr. and Mrs. Nagengast, Property Owners  
Mr. Scott Ferguson, The Environmental Construction Company  
Lester Feldman, RWQCB

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



RO734

Certified Mailer #: P 062 127 892

February 6, 1990

Mr. Werner Nagengast  
c/o Melrose Metal Fabrication  
10222 Pearmain Street  
Oakland, California 94503

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

Subject: Neglect to Notify of Intent to Remove an Underground  
Storage Tank from 10222 Pearmain Street in Oakland,  
California

Dear Mr. Nagengast:

On February 2, 1990, Scott Ferguson of The Environmental Construction Company informed us that an underground tank had been removed from 10222 Pearmain Street in Oakland on January 23, 1990. Per the permit issued by this office on December 18, 1989, we were to have been notified 48 hours in advance of this tank removal so that someone from our office could witness soil sample collection. We were not notified of the tank removal date and hence did not witness the tank removal or the soil sample collection. We therefore are fining you. You must submit a check, payable to Alameda County, for \$333. This check must be submitted to our office within 15 days of the date of this letter.

Should you have any questions, please contact me at (415) 271-4320.

Sincerely,

A handwritten signature in cursive script that reads "Katherine A. Chesick".

Katherine A. Chesick  
Senior Hazardous Materials Specialist

cc: Scott Ferguson, The Environmental Construction Company  
Robert Dawson, Oakland Fire Department  
Lester Feldman, Regional Water Quality Control Board,  
San Francisco Bay Region  
Howard Hatayama, State Department of Health Services  
Gil Jensen, Alameda County District Attorney, Consumer and  
Environmental Protection Division  
Rafat A. Shahid, Alameda County Environmental Health Department  
Files



ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R0734

Certified Mailer #: P 062 127 893

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

February 6, 1990

Mr. Werner Nagengast  
c/o Melrose Metal Fabrication  
10222 Pearmain Street  
Oakland, California 94503

Subject: Initial Subsurface Investigation of the Underground  
Storage Tank Leak at 10222 Pearmain Street in Oakland,  
California

Dear Mr. Nagengast:

Mr. Scott Ferguson of The Environmental Construction Company informed us that 2,600 ppm hydrocarbons were detected in a soil sample collected following an underground tank removal at 10222 Pearmain Street in Oakland. This level of contamination requires you to determine the extent of soil contamination and to assess ground water quality. To do this, we require that you submit a work plan which, at a minimum, addresses the items listed below and presents a timetable for their completion. Please submit this work plan within 60 days of the date of this letter.

Our office will be the lead agency overseeing the investigation of this site. The San Francisco Bay Regional Water Quality Control Board (SFRWQCB) is currently unable to oversee the large number of underground tank cases within Alameda County and has delegated the handling of this case to our Division. We will be in contact with the SFRWQCB in order to provide you with guidance concerning the SFRWQCB's investigation requirements.

All work must be performed according to the following SFRWQCB documents:

- \* Regional Board Staff Recommendations for Initial Evaluation and Investigation of Underground Tanks, 2 June 1988, revised 9 November, 1989 (2 June 1988 SFRWQCB document);
- \* Appendix A for above, 1 July 1988, revised 3 April 1989; and

Copies of these documents can be obtained by calling the SFRWQCB data management group at 464-1269. Please note the LUFT manual as a whole has not been adopted by the SFRWQCB.

Page 2 of 6  
Mr. Werner Nagengast  
Melrose Metal Fabrication  
February 6, 1990

Items to Address:

**1. Site history.**

- A. This shall include historic site use and ownership information, a description of the types and locations of any hazardous materials used on site, and a description of any known hazardous materials spills, leaks or accidents.
- B. For each existing and former underground tank on site, include the following information:
  - a) the date of tank installation
  - b) the tank capacity and construction material
  - c) the types of materials stored in the tank
  - d) the dates the tank was used
  - e) a discussion of tank inventory reconciliation/monitoring methods and results
  - f) tank testing dates and results
  - g) estimate of quantity of product lost, if applicable
  - h) the date of tank and piping removal
  - i) the tank and piping condition at the time of removal
  - j) observations made at the time of tank and piping removal (e.g. the tank depth, a log of the stratigraphic units encountered within the excavation, ground water depth, descriptions and locations of stained or odor-bearing soil, descriptions of any free product or sheen observed on ground water, etc.).
  - k) a map showing the locations of soil and ground water samples collected during tank removal, along with chain of custody records and laboratory data sheets.
  - l) descriptions of any remedial measures conducted at the time of tank removal
  - m) copies of the TSDF to Generator manifests for all hazardous wastes removed - including liquids, residual sludges, soils, and the tank itself
  - n) any other observations

**2. Site Description.**

This shall incorporate the following information:

- A. A map which shows streets, site buildings, underground tank locations, tank islands and pipings, subsurface conduits and utilities, on-site and nearby wells, and nearby streams or water bodies.

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Mr. Werner Nagengast  
Melrose Metal Fabrication  
February 6, 1990

B. A description of the hydrogeologic setting of the site and surrounding area. Include a description of any subsurface work previously done at the site or on adjacent sites.

**3. Determination of the vertical and lateral extent of soil contamination.**

This shall describe the method by which the contaminated soil extent will be determined.

A. If soil samples are to be collected for contamination delineation, consult the SFRWQCB guidelines and the LUFT manual for soil sampling protocols. During drilling of all boreholes and monitoring wells, undisturbed soil samples are to be collected at a minimum of every five feet in the unsaturated zone and at any changes in lithology for logging and analytical purposes. Borings and wells are to be permitted through Alameda County Flood Control and Water Conservation District, Zone 7. Borings and wells shall be logged from undisturbed soil samples. Logs shall include observed soil odors; blow counts shall be expressed in blows per 6 inches of drive.

B. Soil samples must be analyzed by a California State Certified Laboratory for the appropriate constituents (see Attachment 1, Table 2, 2 June 1988 SFRWQCB document).

**4. Determination of Ground Water Quality.**

Due to the potential that fuel may have already contaminated the ground water, water quality must be characterized.

A. A minimum of three monitoring wells must be installed to determine the ground water gradient. One monitoring well must be installed within 10 feet of the tank in the down-gradient direction. If the verified down-gradient location has been established, then complete gradient data must be submitted and only one monitoring well must be installed; this well must be within 10 feet of the tank in the down-gradient direction.

B. Monitoring wells shall be designed and constructed to be consistent with the SFRWQCB guidelines and to permit entrance of any free product into the wells. Filter pack and slot sizes for all wells should be based on particle analysis (ASTM D-422) from each stratigraphic unit in at least one boring on the site and on the types of ground water contaminants present. The well screen must be

Page 4 of 6  
Mr. Werner Nagengast  
Melrose Metal Fabrication  
February 6, 1990

situated to intercept any floating product from both the highest and lowest ground water levels. All wells shall be surveyed to mean sea level (MSL) to an established benchmark to 0.01 foot.

- C. Monitoring wells must be sampled. Water level and free product thickness measurements shall be made in all wells before sampling is begun. Measurement of free product must be done by an optical probe or other method having equal accuracy.
- D. Ground water samples are to be analyzed by a California State Certified Laboratory for the appropriate constituents (see Attachment 1).
- E. Ground water levels and quality must be monitored for a minimum of one year, even if no contamination is identified.

**5. Interpretation of hydrogeologic data.**

- A. Water level contour maps showing ground water gradient direction, and free and dissolved product plume definition maps of each contaminant constituent should be prepared routinely and submitted with other sampling results.

**6. Sampling and remediation or disposal of stockpiled fill and soil.**

Any stockpiled soil must be sampled and either disposed of or remediated.

The number of samples collected from the stockpile(s) must be adequate to characterize the soil for the soil handling method. Please note that no contaminated soil may be placed back into the excavation, even if contaminated soil has been treated to non-detect levels.

**7. Reporting.**

- A. A technical report must be submitted by July 6, 1990 which presents and interprets the information generated during the initial subsurface site investigation. At a minimum, the report must include the following items:

- \* site history information
- \* boring and well construction logs
- \* records of field observations and data

Page 5 of 6  
Mr. Werner Nagengast  
Melrose Metal Fabrication  
February 6, 1990

- \* chain-of-custody forms
  - \* water level data
  - \* water level contour map showing ground water gradient direction
  - \* tabulations of soil and ground water contaminant concentrations
  - \* status of soil contamination characterization
  - \* description of any remedial work performed
  - \* laboratory-originated analytical results for all samples collected
  - \* copies of TSDF to Generator manifests for any hazardous wastes hauled off site
  - \* any recommendations for additional investigative or remedial work
- B. All reports and proposals must be signed by a California-Certified Engineering Geologist, California-Registered Geologist or a California-Registered Civil Engineer (see page 2, 2 June 1988 SFRWQCB document). A statement of qualifications for each lead professional should be included in all workplans and reports.
- C. The technical report shall be submitted with a cover letter from Melrose Metal Fabrication and received in this office by the established due date. The letter must be signed by a principal executive officer or by an authorized representative of that person.

#### 8. Site Safety Plan.

Enclosed is an "Underground Storage Tank Unauthorized Release (Leak)/Contamination Site Report" form which must be completed and returned within five working days. Please send the entire completed form to our office.

All proposals, reports and analytical results pertaining to this investigation and remediation must be sent to our office and to:

Lester Feldman  
Regional Water Quality Control Board, San Francisco Bay Region  
1800 Harrison Street, Suite 700  
Oakland, California 94612  
(415) 464-1255

You should be aware that this Division is working in conjunction with the SFRWQCB and that this is a formal request for technical reports pursuant to California Water Code Section 13267 (b).

Page 6 of 6  
Mr. Werner Nagengast  
Melrose Metal Fabrication  
February 6, 1990

Failure to respond or a late response will result in referral of this case to the SFRWQCB for enforcement and may subject Melrose Metal Fabrication to civil liabilities imposed by the SFRWQCB to a maximum amount of \$1,000 per day. Any extensions of agreed-upon time deadlines must be confirmed in writing by either this Division or the SFRWQCB.

Should you have any questions concerning this letter, please contact me at (415) 271-4320.

Sincerely,



Katherine A. Chesick  
Senior Hazardous Materials Specialist

attachments

cc: Scott Ferguson, The Environmental Construction Company  
Lester Feldman, Regional Water Quality Control Board,  
San Francisco Bay Region  
Howard Hatayama, State Department of Health Services  
Gil Jensen, Alameda County District Attorney, Consumer and  
Environmental Protection Division  
Rafat A. Shahid, Alameda County Environmental Health Department  
Files